



Agenda
Village of Arlington Heights
Zoning Board of Appeals
Buechner Room, 1st Floor

Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
June 8, 2015
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Kee Residence - 1521 E. Peachtree Dr.
- B. Riccetti-Hauser Residence - 533 S. Evergreen Ave.
- C. Dunne Residence - 1008 N. Kaspar Ave.

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. ZBA#15-008 - Petermann Residence - 903 W. George St.
- B. ZBA#15-009 - Lytle Residence - 630 S. Beverly Ln.
- C. ZBA#15-010 - Promenade of Arlington Heights - 305-349 E. Rand Rd.
- D. ZBA#15-011 - Pinney Residence - 310 W. Kirchhoff Rd.

VII. OTHER BUSINESS

VIII. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact David Robb, Disability Services Coordinator, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, (847)368-5793 (Voice), (847)368-5980 (Fax) or drobb@vah.com.



Item: Kee Residence - 1521 E. Peachtree Dr.

Department: Planning & Community Development

Approval of Minutes & Findings from 5/11/15 hearing.

ATTACHMENTS:

Description	Type
Minutes 5/11/15 - Kee	Minutes
Findings 5/11/15 - Kee	Minutes

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ZONING BOARD

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

OF APPEALS

RE: KEE RESIDENCE - 1521 EAST PEACHTREE DRIVE - ZBA#15-005

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the
Arlington Heights Village Hall, 33 South Arlington Heights
Road, 1st Floor Beuchner Room, Arlington Heights, Illinois on
the 11th day of May, 2015, at the hour of 7:00 o'clock p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
JOSEPH SELBKA
JOSEPH GEISEL
DAVID DIVITO
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Landscape Planner

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CHAIRMAN PETRILLO: We will call the Arlington Heights Zoning Board of Appeals meeting to order, the May 11th meeting to order. The first order of business is the pledge of allegiance. If you would rise and join us in the recitation of the pledge of allegiance?

(Pledge of allegiance.)

CHAIRMAN PETRILLO: Derek, would you take the roll call?

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Present, here.

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Here.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Divito.

MR. DIVITO: Here.

MR. MACH: Mr. Selbka.

MR. SELBKA: Here.

CHAIRMAN PETRILLO: Okay. Has everyone had a chance to review the minutes of the last Board meeting? And if so, are there any changes, amendments or corrections?

None being heard, I move to approve the minutes. All those in favor, say aye.

(Chorus of ayes.)

CHAIRMAN PETRILLO: All those against, say nay.

(No response.)

CHAIRMAN PETRILLO: Okay, motion passes. This evening, we have three petitions on the agenda. For each of the petitioners when you approach, first, has everyone had a chance to sign in? Okay, when you do, if you are going to provide testimony, if you would, first thing you do is sign in, then I'll swear you in. Then we'll ask you during your presentation in support of your petition that you meet the three requirements that we have to weigh in order to approve your petition:

The first is the property in question will not yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning area. That the plight of the owner, you, is due to unique circumstances or some unique circumstances, so the shape of the lot, the building preexisting on property lines and within certain distances. And if the variation is granted, it will not alter the essential character of the locality.

Does anybody have any questions on those three criteria before you approach the podium? Okay, so you have to give us your hardship, if we interpret it or apply the zoning regulations to the strictest requirement, that it will impose some type of hardship and will not allow you to get a reasonable return on your investment; some unique circumstances; and it won't take or detract from the character

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of the neighborhood. Okay?

All right. The first petition we have this evening is the Kee petition. If you would step forward and sign in? And then I'll swear you in.

Will you raise your right hand? I'll swear you in.
(Witness sworn.)

CHAIRMAN PETRILLO: Thank you. Could you state your name and address for the record please?

MR. KEE: Yes. My name is Jon Kee. The address is 1521 East Peachtree Drive in Arlington Heights.

CHAIRMAN PETRILLO: If you would, sir, just begin your presentation. If you would touch on those three criteria, and if you need any help navigating through the criteria, I'll be here to answer your questions.

MR. KEE: Fair enough. So, as I assume you guys have all been somewhat briefed on this or done your due diligence, you have a good understanding of what we're trying to do. To your point about the first initiative, do we think it's going to affect the return on the property, truthfully, I don't think I can make an argument to that case. However, we have about a third of our backyard that's completely unusable. And as this is our, you know, my wife calls it our forever house, we must, we prefer to try to leverage and take advantage of that. So, while it may not detract on our ability to make a return on the house, it certainly will limit the amount of return should we look to sell the house, you know, at some point in the next 20 to 30 years when our kids are off to college and stuff that go far down the path there.

In terms of the hardship with the particular property, as reported, we moved in the house about five-and-a-half to six years ago. There has been a standing water issue in the lower, in the southwest corner of the lot. No matter what time of the year it is, there is always water there. We've had people out to look at it. We've talked to landscapers about grading it. Re-grading it would only take our water and push it into our neighbor's yard and we're better neighbors than that.

So, what we have essentially determined is that we've got a portion of our backyard that is pretty much unusable and we feel that by building a deck over at least a portion of that, we'd have a better use of that particular space.

What's the final piece, I'm sorry?

CHAIRMAN PETRILLO: That it won't detract from the character of the neighborhood.

MR. KEE: Yes. And so, to that point, we have actually talked with a bunch of our neighbors. They are all completely for it, you know. In fact, most of them just said your property, do what you'd

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like to do with it. You know, with the nice neutral colors, we'll add additional landscaping so that there's no privacy issues or anything like that, because frankly, you know, as I mentioned we have daughters, I'm more concerned about the privacy than probably the neighbors are going the other way.

CHAIRMAN PETRILLO: This deck is considered an impervious surface. If this were, and is the site correct, Derek, that it currently exceeds the maximum impervious surface calculations for this site?

MR. MACH: The existing deck and pool.

CHAIRMAN PETRILLO: Okay, so he is. He can't build a concrete deck in because a concrete deck or a patio wouldn't be able to go up to the eight feet that he seeks?

MR. MACH: Correct.

CHAIRMAN PETRILLO: Okay, but because the impervious surface has already been exceeded, that's not an option?

MR. MACH: Correct.

CHAIRMAN PETRILLO: And that's why a deck being considered an impervious surface would be allowed if, I mean we could if --

MR. SELBKA: We could if pervious.

CHAIRMAN PETRILLO: I'm sorry, pervious surfaces.

MR. MACH: Correct, a deck is considered pervious if it's a raised deck and the setback from the rear property line would be 15 feet. If the deck was at grade, an eight foot setback would be allowed.

CHAIRMAN PETRILLO: Okay, then it's a two-foot raise?

MR. MACH: Approximately.

MR. KEE: Yes. At most closer to that.

CHAIRMAN PETRILLO: Okay. As I read through the information you submitted as part of your packet for approval, I understand that there is a lot, or there is a part of the yard that has some water, that there's some settling, it doesn't really dry and it's somewhat soupy at times and kind of marshy.

MR. KEE: Yes.

CHAIRMAN PETRILLO: I read through and it looks to me, or to my understanding of the reading is that there are several things that you want to be able to accomplish or do to eliminate that standing water. That would be installing drain tiles, raising the grade of the side and rear yard, and building a retention wall. How is that affected by the deck? Why couldn't you go ahead and proceed and eliminate the water with those three remediation measures without the deck?

MR. KEE: So, those are options we will evaluate, and frankly they were just extremely costly for very little benefit. Right? I mean we're not talking a huge stretch of yard with our back stretch of

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about 40, or 52 I think is the lot width, and about 10 feet deep is really affected by this. But for us to invest in those pieces, if we're going to spend \$10,000 or \$15,000 to do it, we'd rather make it a really usable space which, you know, except where the pool deck would be, versus just correcting, you know, the existing yard which just, it would still be extremely sloped out of the way, unless like you said, we wanted to try to run it off into our neighbors which we just don't think that would be the right thing to do.

CHAIRMAN PETRILLO: So, how does, if those, I do not understand how the deck changes that for your neighbor's drainage. If you're going to take these --

MR. GEISEL: It's not doing anything with the drainage.

MR. KEE: It doesn't, no. Instead it keeps the existing condition essentially as is, but allows us to get better use out of the space.

CHAIRMAN PETRILLO: So, you would install the deck without doing any work?

MR. KEE: Correct.

CHAIRMAN PETRILLO: And you would have that area remain. But you do have, what's the difference in the cost of doing, you know, remediating the water and the deck?

MR. KEE: Probably about another \$10,000.

MR. SIAVELIS: Just to clarify, to remediate the water versus the deck would be an additional \$10,000 aside from the deck?

MR. KEE: Yes, because they can't get heavy-duty equipment back there because of the privacy fence for the pool and everything like that. So, everything would have to be done manually, and that's where apparently the costs stack up.

CHAIRMAN PETRILLO: So, you would have a, in order to make the setback requirements, you would be able to add, if I read this correctly, another six feet?

MR. KEE: So, if we stayed with the current setback, we would be able to add about a foot, a foot-and-a-half.

CHAIRMAN PETRILLO: Okay.

MR. KEE: Right now, directly to the south of the pool, we have about a six-foot, lack of a better phrase, flower pot. It's a two-tier set. Everything in there is past its useful life. So, what I had offered was, you know, if we are unable to go all the way back to where the above ground pool deck would be, if we could at least cover the existing pier, that would give us another five or six feet, and that would at least be useful. But ideally, you know, the larger we're able to get approved if anything to the matter, but we're willing to be, you know, a minor loss.

CHAIRMAN PETRILLO: So, how does, it looks that there is a lot of patio and space that is available now. What's the need or the

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hardship that's imposed if this is not granted? What do you accomplish by adding that deck that's going, and what will that relieve you of?

MR. KEE: So, as I mentioned, we have two young children. So, no matter how much patio there appears to be, there are playhouses and sandboxes and furniture and a grill, and there's not nearly as much as it looks to be. More so though, I think the hardship is we have essentially got that six-foot by about 40-foot stretch, which is just a completely unusable lot, and we're just trying to make better use of the land, you know. We know we can't expand our lot, you know, we've got neighbors everywhere, and so it's one of those things where we're just trying to make the most use out of land. By adding the pool deck, that gives us the ability to maybe shift some of the stuff back there and, you know, move the table back there and do some other things.

CHAIRMAN PETRILLO: And how long have you lived at the location?

MR. KEE: About five-and-a-half years.

CHAIRMAN PETRILLO: And that's had, when you purchased the property, the pool was in place?

MR. KEE: Yes, the pool was in place, everything was in place.

CHAIRMAN PETRILLO: And are you making some renovations to the pool?

MR. KEE: Yes. So, we just currently redid the initial concrete around the pool, the immediate pool area. So, about four feet on most of the sides, and then a little deeper on the west side, but all existing.

CHAIRMAN PETRILLO: Derek, at the time, was that done with a permit or did you --

MR. KEE: Yes. Yes, I did.

CHAIRMAN PETRILLO: Okay, so does the setback currently, prior to the work that you've done, did the existing configuration of the pool and the decking meet the code? Or was there any exemptions to that work?

MR. MACH: Yes, the setback meets code and the impervious surface coverage exceeds what is allowed by code. The impervious surface coverage is existing nonconforming which he's allowed to maintain but he could not expand.

CHAIRMAN PETRILLO: He's allowed to maintain that, okay.

MR. MACH: Correct.

CHAIRMAN PETRILLO: By the code he's allowed to maintain that.

MR. MACH: Right.

CHAIRMAN PETRILLO: Okay.

MR. SIAVELIS: What's the, the concrete surrounding the south side of the pool, what is that depth of that concrete? Is that --

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MR. KEE: Good question.

MR. SIAVELIS: Because we're seeing it on the survey here but it's not dimensioned. Is it, so from the lip of the pool --

MR. KEE: Yes.

MR. SIAVELIS: South into the backyard, that ribbon of concrete there, what is that depth or the width of that?

MR. KEE: About four feet.

MR. SIAVELIS: Four feet. And has that, so it's been awhile since we had warm weather here, so is that enough room to put like a patio chair on it? Or is the front of that patio chair, or the legs of that patio chair like real close to the front edge of the pool or the back edge of the concrete?

MR. KEE: Yes, I mean you couldn't put like a lounge chair. We could put a chair like that, but like you said, if you move a little bit this way or that way, you may have an unintended swim.

MR. DIVITO: It would be similar to like just a front porch.

MR. SIAVELIS: Yes, right.

MR. GEISEL: The zoning note here says that they're over on the impervious surface.

MR. MACH: Correct.

MR. GEISEL: But by how much? Do we have any idea?

MR. MACH: I don't have that exact number but they're over the allowed impervious surface coverage. They're allowed 50 percent and they're over that 50 percent mark. The pool is included in the calculation for impervious surface coverage.

CHAIRMAN PETRILLO: If you look at -- oh, I'm sorry. Go ahead.

MR. GEISEL: You also indicated that part of this is because of the raised nature of the --

MR. MACH: Correct.

MR. GEISEL: So, if they were to do something essentially at grade, what's the difference?

MR. MACH: Eight feet would be the allowed setback.

CHAIRMAN PETRILLO: So, he would be able to, I'm sorry, that's what I was trying to allude to, he would be, it looks like he'd be able to take it to this point. I'm assuming that this shaded point, that this would give him the setback, and that was going to be one of my questions. Do you want to go ahead and ask it if you were --

MR. GEISEL: Well, that's what I was trying to understand because we don't have the information in here that indicates that it's over.

CHAIRMAN PETRILLO: Yes.

MR. GEISEL: But I just can't tell by how much. So, and I want to understand the nature of the, that the deck is pervious.

CHAIRMAN PETRILLO: Pervious.

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MR. MACH: Correct. Decks are considered pervious per the Engineering Department.

MR. GEISEL: So, we're not evaluating the total impervious lot, that ratio, right?

MR. MACH: Right.

MR. GEISEL: We're just trying to determine the setback and making sure that we, that's what this individual petition is for is for, is for the setback

MR. MACH: Correct. The deck would not increase the nonconforming situation for impervious surface coverage.

CHAIRMAN PETRILLO: But he would be able to, this is my question, I guess I should ask, he would be able to construct a deck at surface level. You know, what is that considered if he were able to step it down without a variance?

MR. MACH: He would, however --

CHAIRMAN PETRILLO: As long as it's a pervious?

MR. MACH: As long as it's a pervious, correct.

CHAIRMAN PETRILLO: Yes. So, that is one possible solution if the petition is not granted this evening.

MR. MACH: Right.

CHAIRMAN PETRILLO: Okay. Then my next question would be to the Petitioner. Did you look in the options on the east side that would give you the same type of footage and coverage?

MR. KEE: In terms of?

CHAIRMAN PETRILLO: Square foot coverage or, you know, just to be able to expand to get more space as well. So, if you found a combination of doing these things, you know, with, I've seen a lot of decks done where there's a lot of differences in the elevations and so forth by one or two steps up or one or two steps down.

MR. KEE: So, on the east and the west sides, basically this is going to be angled from the front to the back. So, I think we could certainly look at that. I think we would, you know, again if allowed, build as much deck as we can. But I think we would violate probably the side setbacks if we started to do anything over there.

CHAIRMAN PETRILLO: Because of the grade?

MR. KEE: Well, I think just because I think the pool pretty much runs up to eight to ten feet, whatever the setback is, I think.

CHAIRMAN PETRILLO: The side yard setbacks would be seven feet, wouldn't it? 7.2?

MR. MACH: Eight feet for the pool.

CHAIRMAN PETRILLO: Eight feet. Eight-foot for a pool, okay.

MR. SIAVELIS: Eight-foot for the pool, but what about the deck?

MR. MACH: It would be eight feet.

MR. SIAVELIS: Eight feet as well, all right.

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CHAIRMAN PETRILLO: It would be because that's an accessory to the pool?

MR. MACH: Right.

CHAIRMAN PETRILLO: Okay.

MR. SIAVELIS: So, he's got room on the west side but he's, I'm sorry, room on the east side but he's constrained on the west side.

MR. MACH: Correct.

MR. SIAVELIS: And can I just ask one follow-up there? In the color version of the survey that you provided us, the color annotations, right?

MR. KEE: Yes.

MR. SIAVELIS: Is that your intent to provide a compromise position because you're, in blue you're showing a deck size at nine feet with a resulting setback of eight feet?

MR. KEE: Yes.

MR. SIAVELIS: Okay, and then in black, you're showing a deck size of six feet and a resulting setback of 11 feet. Is the black line designating a compromise from you?

MR. KEE: Yes. I mean, look, if you're willing to allow us to take it as far back as we can, we're thrilled to do it. But if all we're able to do is cover or replace the existing landscaping piece with this, we're okay with that, too.

MR. SIAVELIS: The existing landscaping piece which is the two-tier sets of planters?

MR. KEE: Exactly, which is railroad ties which is crumbling.

CHAIRMAN PETRILLO: Is he able to, Derek, is he able to adjust that grade? I see that there's, the planters that are there, is he able to, you know, back-fill those planters? It looks like the one is almost at grade.

MR. KEE: Yes, one is.

CHAIRMAN PETRILLO: And then back-fill the second to keep it at grade with the retaining wall, is that permissible?

MR. MACH: It would still be a raised structure.

CHAIRMAN PETRILLO: It would still be raised, considered raised.

MR. MACH: Yes.

CHAIRMAN PETRILLO: Even though that would be, I mean what's to keep him now from putting that planter box in and raising that up with, you know, some type of wall, railroad ties, whatever it might be, decorative timbers?

MR. MACH: Per the deck definition, it would still be considered a deck.

CHAIRMAN PETRILLO: Okay. Any other questions?

MR. SELBKA: Is this type of decking that you have, does water tend to flow through the deck or does it flow along and then flow

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into the yard?

MR. KEE: It should fall between the boards, so it should go essentially right into the existing planter.

CHAIRMAN PETRILLO: I'm sorry, and I don't know if I did get a chance to ask the, maybe I got into another question. The east, why not go to the east and observe the side yard setback?

MR. KEE: Part of what prompted the project was a conversation with our landscape contractor where basically he said all that stuff in the back is going to need to be replaced sooner than later, because it is kind of, the first row which is at level with the pool has railroad ties, and then the second has railroad ties as well, and they're probably original to when they put the house in. So, that's the project that's going to happen either way. We figured if we could knock it out with one project, it would be just more efficient.

CHAIRMAN PETRILLO: Any other questions?

MR. SELBKA: Did you talk to Ms. Strauss, Judy Strauss? Did you see this e-mail?

MR. KEE: No.

MR. MACH: I got that late today.

MR. SELBKA: Take a look at it.

MR. KEE: Well, I mean in theory we're not changing the drainage in any regard. I don't know that, I mean that's, you know, covering the existing landscaping which is not what drafted, but you guys would be better equipped to answer that than I would.

MR. SIAVELIS: What are you going to do if you get the variance? Are you going to cover that all the way out to that dimension that you seek?

MR. KEE: Sure.

MR. SIAVELIS: Well, I guess either way you're going to cover that to your landscaping. What are you going to do with that, rip that out? Or how are you going to support that deck? Is there going to be a sub-base in there?

MR. KEE: So, we haven't gotten that far. The guys that I've talked to were basically get your variance before we really want to invest any time developing it. But the thought was to put the post basically essentially at the back side where the landscaping is so that we don't even have to get the railroad ties out because that's going to be a huge chunk of labor. So, we have to leave that in now, keep things filled in.

MR. SIAVELIS: So, to cut the plantings down --

MR. KEE: Yes, exactly. Level that down so that there's whatever the gap is between, so they can lay a full decking down.

CHAIRMAN PETRILLO: Any other questions? Thank you. I reviewed this petition a couple of times and, even after today's testimony, I still have personally trouble understanding the hardship.

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Looking at it, you may not get everything that you want, but there is the possibility of going to the east and creating some type of deck that gives you some space that's already contiguous to the existing concrete patio. So, I don't, in my opinion, feel that the Petitioner has met the hardship requirement in my mind.

I'll open it up to the Board for any other comments.

MR. SIAVELIS: Tony, is that your view on the compromise position as well where it scales back from nine to six?

CHAIRMAN PETRILLO: Yes, because I view the scale back as something that would be nearly equal to what he can do on the east side. That's just by not going by any strict form of measurement, it's just visual observation of the plat.

MR. SIAVELIS: If he does it on the east side though, he still has that problem with the existing planters and their state of decay though, right? Can he then replace those planters, you know, the two-tier planters? Or is he going to run into further problems in that regard?

CHAIRMAN PETRILLO: Well, those are I think, you know, that is a, you know, a self-imposed hardship in that there are, you know, it is removable. Those conditions could be corrected with some manual labor, either by the Petitioner or through another source. So, you know, I think it would be great to have that, you know, as a convenience. But then again I fall back on, and again this is only my opinion is that there is some solution to this problem. It's not everything you want but you could get there with, close to it with some work done on the east side.

MR. KEE: Can I answer the question?

CHAIRMAN PETRILLO: We're closed. You know, if you like, once we're done with discussion, we won't take a vote and I'll let you --

MR. KEE: That's fair.

CHAIRMAN PETRILLO: We'll take a question whether or not, you know, it's going to be affected and we can answer that after we discuss it.

MR. KEE: That's fine.

CHAIRMAN PETRILLO: Any other comments at this time from the members of the Board?

MR. SIAVELIS: I just want to make sure I understand. If he tries to rip out the existing two-tier and replace it with something that's similar, let's just say the same size, is he going to run into further zoning issue there? Because, well, it's pervious then, right? I mean he won't, railroad ties don't invoke any portion of the ordinance, right? He can put the ties right up to the property line basically or the easement?

MR. MACH: Engineering would review. I mean he could impact

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drainage but, yes, he could if he's not impacting drainage and he's satisfying Engineering's requirements, and they're located outside the easement.

MR. SIAVELIS: I see that Engineering said they're not in favor of granting the variance. So, that's in the record, too, right there.

CHAIRMAN PETRILLO: Okay, is there any other considerations from the Board?

MR. SELBKA: Well, I think in my mind, the problem is not so much the hardship but with this piece of land, whatever you put there, whether it's pervious or impervious, there is going to be flow off of this deck and it could increase the, I think it would increase the flooding. Especially if the rain is hard enough, it's not going to flow, all the water is not going to flow through that in a hard rainstorm, looking at these deck tiles. It's going to come off into the remainder of the yard and then into the remaining yards around there. I think that's the concern that the Engineering Department has.

So, my thinking is not so much the issue of the hardship because I think that given the nature of the property, they've met the hardship. But I don't, I'm concerned that this deck will affect the essential character of the locality because there's yards around there that have drainage problems as well. When it starts raining hard enough, the water is going to, it doesn't matter if it's partially pervious or not, when it starts pouring, the water is going to pour off of that deck into the rest of the Kees' yard and then into the other yards where the drainage is poor as well. So, I'm a little concerned about the issue that it will change the plight of the locality.

MR. GEISEL: Derek, you're suggesting that by code decks are pervious?

MR. MACH: According to our Engineering Department.

MR. GEISEL: Although the whole, to your other point, the amount of impervious though is not an issue in terms of the variance?

MR. MACH: Well, you wouldn't be allowed to increase a nonconforming situation.

MR. SELBKA: But whether it's pervious or impervious, if it's affecting the locality, you still have, that's the issue with the variance as opposed to --

MR. GEISEL: Well, part of the reason I was asking about the height issue was perhaps the fallback position of six feet and doing it at grade, because then with the four feet of existing and six feet of new, you've got ten feet at grade. You could then make that usable whether or not, because you don't have the height variance.

MR. SIAVELIS: Right, so you go concrete to deck.

MR. GEISEL: Right. You could still put on a chaise or

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whatever.

MR. SIAVELIS: Yes.

MR. GEISEL: Because then you've got one uniform height. So, it gives you, it gives him some usefulness of that area, it's still pervious without --

CHAIRMAN PETRILLO: Are there any other comments? Does any Board member have a motion?

MR. MACH: Chairman Petrillo, is there anyone in the audience?

CHAIRMAN PETRILLO: I was assuming that was it. Is there anyone in the audience that wishes to speak to this petition? None being heard, I would open then the floor up for a motion.

MR. GEISEL: Well, he wanted to make a comment.

CHAIRMAN PETRILLO: Oh, yes, I'm sorry, you had a question?

MR. KEE: Well, it was just you keep talking about the east side. What would you propose on the east side if we're unable to do the stuff --

CHAIRMAN PETRILLO: Well, I'd be happy to discuss those with you afterwards if you like. I'm just, I have a couple of ideas but I'm not a landscape engineer or an architect.

MR. KEE: Fair enough.

CHAIRMAN PETRILLO: I do a pretty good enough with my home myself, but we'll go back then. I can't make a motion.

MR. MACH: Correct.

CHAIRMAN PETRILLO: Okay, is there a motion on the floor?

MR. SIAVELIS: Six feet?

MR. GEISEL: I think that would be reasonable under the circumstances.

MR. SIAVELIS: I concur. So, I'd move for the proposal for the variance at, deck size at six feet which we referred to in the record as the compromise proposal.

MR. GEISEL: But at grade or elevated?

MR. SIAVELIS: Grade.

MR. GEISEL: Yes.

MR. SIAVELIS: Yes, at grade.

MR. DIVITO: What is at grade though? How far are we talking?

CHAIRMAN PETRILLO: Well, this is the problem that I have when we start talking about the grade. It's going to, in my opinion, I guess he could do it at that, you're talking at that first level of the planter box?

MR. SIAVELIS: Yes.

CHAIRMAN PETRILLO: That's already at the level of the pool decking now.

MR. SIAVELIS: The concrete, right.

DRAFT

CHAIRMAN PETRILLO: Right. But now, just one thought that I had, if you're going to change that, you're going to be required to change that to put in the decking, you know, because they're going to have to put it on columns and posts because we're asking him, he's going to have to get below the frost line, right? So, and he's hearing everything that's got to be done. They're going to have to get below the frost line, so some of that will have to be taken out. So, that ground is going to be disturbed. I just wanted to note and say that for you and that's why, so that we start to get into a reconfiguration and then the possibility of, you know, drainage and so forth changing at that point. But that's just my opinion and we don't have the Engineering Department here to answer those questions.

MR. SIAVELIS: Right. So, to clarify then, six-foot deck with the north lip of the deck at the same grade or elevation as the south edge of the concrete ribbon south of the pool. How is that? Do you want longitude and latitude, maybe we can get that on Google maps.

CHAIRMAN PETRILLO: All right, just at the same level as the south side of the deck.

MR. SIAVELIS: That works, too.

CHAIRMAN PETRILLO: Fair enough for me.

MR. GEISEL: With the existing concrete, yes.

CHAIRMAN PETRILLO: Okay. So, there's a motion to grant a variance with conditions of the limitations of a six-foot deck, correct, from north to south being contiguous and installed at the same elevation as the south end of the existing concrete deck.

MR. GEISEL: And that may not be what you want to do, but I don't see --

CHAIRMAN PETRILLO: Is there a second?

MR. GEISEL: Second.

CHAIRMAN PETRILLO: We have a motion and a second on the floor. Derek, would you call the roll?

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Yes.

MR. MACH: Mr. Divito.

MR. DIVITO: No.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: No.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: No. Sorry, your variance has been denied. That applies for one year.

MR. MACH: Correct.

CHAIRMAN PETRILLO: So, if things change in a year, you're welcome to come back and re-petition the Board.

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(Whereupon, the above-mentioned petition was adjourned
at 7:33 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS May 11, 2015

PETITIONER: Kee Residence
ADDRESS OF PROPERTY: 1521 E. Peachtree Dr.
VARIATION: 6.6-5.1

A 4.0 foot variance to allow a deck with a rear yard setback of 11.0 feet from the south property line instead of the minimum required 15.0 feet.

The petitioner testified that a portion of their backyard along the rear property line is unusable due to standing water and poor drainage; therefore they are proposing to expand their pool deck with a wood deck that would abut the existing concrete pool deck. The petitioner commented that the wood deck would not contribute to an increase in the impervious surface coverage. The petitioner explained that the proposed deck would encroach into the required rear yard setback. The petitioner also explained that re-grading the area would push the water into the neighbor's yard.

The Zoning Board of Appeals felt that the Petitioner has not met the hardship criteria that are set forth in the guidelines for approving petitions. There were comments from the Zoning Board that there are code compliant options to expand the pool deck on the east side of the pool.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioner has not established the necessary elements for the granting of a variance, namely; that the petitioners would sustain a hardship if the variance were not granted; that the situation of the petitioners is unique; and, that the granting of a variance would not alter the essential character of the neighborhood.

Thereafter, a motion to approve a 6 foot deck with an 11 foot setback from the south property line was made by Mr. Siavelis and seconded by Mr. Geisel. Thereafter, the Board voted 2-3 to approve the variance request. The motion failed.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 2-3 to approve the variance as requested. The motion failed.

You are hereby notified that this ruling is subject to appeal to the Circuit Court of Cook County, under the Administrative Review Law. Such appeal must be filed within thirty-five (35) days of the date of receipt of this decision.

Anthony Petrillo, Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: Riccetti-Hauser Residence - 533 S. Evergreen Ave.

Department: Planning & Community Development

Approval of Minutes & Findings from 5/11/15 hearing.

ATTACHMENTS:

Description	Type
Minutes 5/11/15 - Riccetti-Hauser	Minutes
Findings 5/11/15 - Riccetti-Hauser	Minutes

DRAFT

ZONING BOARD

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

OF APPEALS

RE: RICCETTI-HAUSER RESIDENCE - 533 SOUTH EVERGREEN AVENUE -
ZBA#15-006

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the
Arlington Heights Village Hall, 33 South Arlington Heights
Road, 1st Floor Beuchner Room, Arlington Heights, Illinois on
the 11th day of May, 2015, at the hour of 7:33 o'clock p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
JOSEPH SELBKA
JOSEPH GEISEL
DAVID DIVITO
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Landscape Planner

DRAFT

CHAIRMAN PETRILLO: The next petition on the agenda is the Riccetti-Hauser petition. If you would sign in please?

(Long pause.)

CHAIRMAN PETRILLO: Okay, if I could swear you all in? If you would raise your right hand?

(Witnesses sworn.)

CHAIRMAN PETRILLO: Could you start, we'll start with ladies first. State your name and address for the record.

MS. RICCETTI-HAUSER: Okay, I am Luana Riccetti-Hauser at 533 South Evergreen, Arlington Heights.

MR. HAUSER: I'm James Hauser at 533 South Evergreen, Arlington Heights.

MR. BERTA: I'm John Berta, I live at 303 North Northwest Highway in Barrington.

CHAIRMAN PETRILLO: Thank you. Whoever would like to go.

MR. BERTA: Can we start?

CHAIRMAN PETRILLO: Yes, start please.

MR. BERTA: Okay, my name is John Berta. I am with Capital Architects. These are the homeowners of 533 South Evergreen.

A little quick scope of work that we're trying to perform here is a detached two-car garage. The reason that we're doing this project is because the existing house is a two-story one-car garage and has very limited storage space in the house as well as the garage. The homeowners currently have three cars. So, the idea is that we're going to pop through the garage on the back, maintain that single-car, use it as a single-car but have a garage door in the front and back and then drive through to the back to access the new two-car garage.

So, we'll have storage space for all three cars, and then the idea is to provide, the extra storage would be the attic of the garage. The current house has, like I said, minimum space. The existing attic has been pretty much cut off for any type of use. The basement is only 25 by 25 feet each way and it's, you know, a third of that is going to be utilities and other recreation space.

So, the idea, or the purpose to go the extra two feet above the 15 feet will allow Jim to be able to stand up in the middle of the attic at full height. It would be about six-foot-six to the underside of the ridge. The reason that we need that is because Jim has a rheumatoid arthritis, a very bad condition where bending down and crouching numerous times will provide great pain for Jim. We have medical records that state all that kind of information.

So, the ease of getting in and out is going to be a

DRAFT

great benefit for Jim, because by raising that up a little bit, we're going to get that storage space that is really required for the house.

Then, I know we're only going two feet above, but what's great about this is that since we're keeping that garage, the single-car garage up front, this new two-car garage will be hidden pretty much from the street view of anybody. The neighbors obviously to the left and the right and behind will see it, but the extra height will be very limited view to the neighbors.

According, you know, fitting in with the neighborhood, there are other garages that are detached that are much larger in height than ours just down the street. This is at 615 South Evergreen.

This is, you know, way above 20 feet, fairly new, fairly not too long ago. And then this is at 614, I think this one is a little, about almost like 17 feet or more. So, there are other homes that have detached garages that are taller in height. Obviously those had been built, you know, farther back before the code is the code, but it will fit in within the neighborhood as well.

CHAIRMAN PETRILLO: And any alternatives? Possibly a storage shed where you don't have to worry about going up and down?

MR. BERTA: Yes, I mean the big thing, you know, to the cost to the homeowner, actually we talked to the contractor already, we had it at the 15 feet. He's like you're not going to pop this thing out for minimum cost, to get the additional height would be more beneficial. So, he's saying, you know, we're going to grade it, we'll maximizing that attic space and we'll get a lot more storage space up there than just a little shed that's, you know, six by six.

CHAIRMAN PETRILLO: I bet you if he gets creative, he could do it for the same price.

MR. BERTA: But it's a little more secure, too, being up in the garage, you know, some of the stuff they're going to be storing up there. So, I mean the homeowners just would really like to get it all at once.

CHAIRMAN PETRILLO: So, for the homeowner, that space at 15 becomes virtually useless, or I wouldn't say useless but becomes difficult to use because of the medical issue of the Petitioner?

MR. BERTA: Yes. Yes.

CHAIRMAN PETRILLO: Okay. And that ancillary shed wouldn't provide the square footage that this does.

MR. BERTA: That's, yes, because we're pretty deep. We're at 23 feet, so we're going to get 23 feet along that ridge. So, we're going to get some great storage space up there.

CHAIRMAN PETRILLO: Okay. Are there any questions from any member of the Board for the Petitioners? None being heard, is there anyone in the audience that wishes to speak to this? Ma'am?

MS. RODENBURG: Do I need to sign in and be sworn in?

DRAFT

CHAIRMAN PETRILLO: Yes, ma'am.

MS. RODENBURG: I'm Linda Rodenburg.

CHAIRMAN PETRILLO: Linda, could I swear you in before you provide testimony?

(Witness sworn.)

CHAIRMAN PETRILLO: Thank you. Would you state your name and address for the record?

MS. RODENBURG: Yes. I'm Linda Rodenburg on 539 South Evergreen, and I'm also trying to represent the neighbor on the other side who's on vacation that's been planned for a long time. We're all really good neighbors and we want what's best.

I asked Jim, we're looking for help on, in your expertise. In the letter, I have no problem with the additional height at all, but it says any variations. Both of us on either side, I've been there over 30 years and have long had problems with water in the basement. So, we're seeking professional help.

In fact, I asked Jim, because the existing garage is probably less than three feet from the lot line, and if they're doing a drive right through there, is it possible maybe to make it a material, because we already get a lot of water and we're wondering what can be done, maybe with the material of the drive or something?

CHAIRMAN PETRILLO: Well, I think the Engineering Department will take any consideration when the permit is issued. So, the water runoff and so forth creating additional burden on neighbors would be resolved prior to, or if it couldn't be resolved, correct me if I'm wrong, Derek, they would not issue the permit to allow them to construct and build?

MR. MACH: Correct.

MS. RODENBURG: See, we just didn't know what any variations meant, and we're positive that they wouldn't do anything to devalue our property. We just didn't know how this worked with the whole water situation. So, I told them that I'd come ask.

CHAIRMAN PETRILLO: Yes. Well, this is the only variation that they seek by this body is the height variance. But there is, and I've been through it a number of times because not only have I ever done it as a homeowner and pulled permits, but I've done it in my business that's located in Arlington Heights. I don't like going through the permit process too much because it's pretty rigorous. There's a lot of questions and it's a very thorough review.

MS. RODENBURG: Yes.

CHAIRMAN PETRILLO: From my personal experience, I think I can tell you that every consideration is given to the type of issue you raised with water runoff and so forth.

MS. RODENBURG: Okay.

CHAIRMAN PETRILLO: And we've had many petitions before us

DRAFT

where, and similar with driveways and it's been a concern of ours, it's always been resolved through the Engineering Department that these water runoffs do not pose an additional burden on the neighbors.

MS. RODENBURG: Yes, because we both, there's a lot of water we've had in our basement and we just didn't know what would happen because it seems like with a two-car garage and a drive going back to it, we're covering up a lot of the land.

MR. SELBKA: The Engineering Department has actually already flagged that issue. So, in the packet, they say, they talk about that there are some low areas and that drainage will have to be addressed as part of the site plan.

MR. BERTA: Oh, yes.

MS. RODENBURG: Okay.

MR. BERTA: Yes. I mean that's always a requirement. I'm sure, yes, when we submit we have to have the grading plan. We're going to go a little bit more than the three feet, so five feet, so we can probably get a nice little swale on there.

MS. RODENBURG: Yes.

MR. BERTA: To try and get that water to not, obviously we can't go onto your property at all. I mean every project I submit here we have grading plans. That's what's so good about it.

CHAIRMAN PETRILLO: Yes, and that's one of the requirements.

MS. RODENBURG: And that's where, I guess it was something like that but Jim didn't know for sure. So, it's just nice hearing that from the professionals.

CHAIRMAN PETRILLO: And there will be a thorough review on the permit process because the permit has to, it can't be issued until it passes this variance first.

MS. RODENBURG: Yes, because we have no problem with it actually. It's just that, so, that's all.

CHAIRMAN PETRILLO: Thank you then, ma'am.

MS. RODENBURG: Thank you.

CHAIRMAN PETRILLO: I don't think there were any other questions. Are there any now any other questions for the Petitioner from the Board with that being heard? Ma'am, I don't know, did you want to speak to this petition or you're next?

MS. DUNNE: No, I'm here for the next one.

CHAIRMAN PETRILLO: Okay. Are there any other comments from any member of the Board? No comments being heard. Is there a motion?

MR. DIVITO: I'll motion to approve.

CHAIRMAN PETRILLO: Is there a second?

MR. SELBKA: Second.

CHAIRMAN PETRILLO: We have a first and a second. Derek, will you call vote?

MR. MACH: Mr. Siavelis.

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MR. SIAVELIS: Yes.

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Good luck!

MR. HAUSER: Thank you very much.

MS. RICCETTI-HAUSER: Thank you very much.

MR. BERTA: Thank you. Have a good day, gentlemen.

(Whereupon, the above-mentioned petition was adjourned
at 7:46 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS May 12, 2015

PETITIONER: Riccetti-Hauser Residence
ADDRESS OF PROPERTY: 533 S. Evergreen Ave.
VARIATION: 6.5-6 (Accessory Buildings)

A 2.0 foot variance to allow an increase to the maximum height of an accessory structure from 15 feet to 17 feet.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that the two foot height variation is necessary in order to create storage on the top portion of the garage since storage is very limited in the existing 25' x 25' basement. The petitioner also testified that the height is necessary due to a medical issue that limits mobility.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of a variance, namely; that the petitioners would sustain a hardship if the variance were not granted; that the situation of the petitioners is unique; and, that the granting of a variance would not alter the essential character of the neighborhood. Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Thereafter, a motion was made by Mr. Divito and seconded by Mr. Selbka. Thereafter, the Board voted 5-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 5-0 to grant the variance as requested.

The granting of a variance for this property shall not be construed as an approval to construct or encroach upon any easement areas unless written consent has been granted by each utility company and a copy of each letter is on file with the petition for this variation, nor be construed as a waiver of any requirements of the building code or other applicable ordinances of the Village.

It is expressly noted that no order of this Board permitting the aforesaid variance shall be valid for a period longer than one (1) year unless such construction is started and proceeds to completion within the terms of such permit.

Anthony Petrillo, Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: Dunne Residence - 1008 N. Kaspar Ave.

Department: Planning & Community Development

Approval of Minutes & Findings from 5/11/15 hearing.

ATTACHMENTS:

Description	Type
Minutes 5/11/15 - Dunne	Minutes
Findings 5/11/15 - Dunne	Minutes

DRAFT

ZONING BOARD

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

OF APPEALS

RE: DUNNE RESIDENCE - 1008 NORTH KASPAR AVENUE - ZBA#15-007

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the
Arlington Heights Village Hall, 33 South Arlington Heights
Road, 1st Floor Beuchner Room, Arlington Heights, Illinois on
the 11th day of May, 2015, at the hour of 7:46 o'clock p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
JOSEPH SELBKA
JOSEPH GEISEL
DAVID DIVITO
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Landscape Planner

CHAIRMAN PETRILLO: The next petition is the Dunne petition.
Ma'am, if you would? I think you may have come in late. Did you hear
the three criteria that you're supposed to address?

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MS. DUNNE: I missed the first seven or eight minutes. You were already in the middle of the --

CHAIRMAN PETRILLO: Okay, if you would, first sign in. I'll swear you in first. Please raise your right hand.

(Witness sworn.)

CHAIRMAN PETRILLO: Would you state your name and address for the record?

MS. DUNNE: Julie Dunne, and my address is 729 Summit in Barrington, Illinois.

CHAIRMAN PETRILLO: In approving this petition tonight, we're going to ask you to meet the burden of addressing that the property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the regulations. So, there's some type of hardship that would be incurred if we take a strict interpretation of the code and apply that. That the plight of the owner is due to, there's some type of unique circumstances to this request. And then the variation if granted will not alter the essential character of the neighborhood.

MS. DUNNE: Right.

CHAIRMAN PETRILLO: So, if you could touch on those three points, and we'll just take them one-by-one since --

MS. DUNNE: Okay.

CHAIRMAN PETRILLO: First, the hardship that will be incurred.

MS. DUNNE: Okay, so currently, the house is, I mean I guess you can say that it's three bedrooms, but the upstairs is, you know, under the dormers. We'd like for the upstairs to be three bedrooms, which is physically impossible with the way that it is now. The bedrooms as they exist are kind of all under the dormers and everything. There's a dormer already on the back half of the house. So, to make it three bedrooms upstairs, we need to put the dormer on the front to match the dormer on the back.

Currently, most of the houses on the block, you know, if you stand at the front and you kind of shot a bullet down the street, they're all right on it and most of them are at least 14 inches off, or over the established front yard setback. So, what we'd like to be able to do is just to extend the existing front wall of the house up to put a dormer on the second floor to allow us to get the extra ceiling height to create an extra bedroom on the second floor.

CHAIRMAN PETRILLO: And the unique circumstances? This is already an existing nonconforming structure?

MS. DUNNE: It is existing, yes.

CHAIRMAN PETRILLO: And you're not going to encroach any farther on that, okay.

MR. SIAVELIS: So, you're just going straight up?

MS. DUNNE: Straight up.

CHAIRMAN PETRILLO: And so far as the locality, I'm familiar with this area on Kaspar.

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MS. DUNNE: Yes.

CHAIRMAN PETRILLO: There are a number of different additions to this area, correct?

MS. DUNNE: Right. Yes, there's an awful lot going on just on the street. We've got some new houses going up. There's a couple that have already been knocked down, and there's a fence. I'm assuming there will be a new house soon, I would hope. So, it's a pretty active area but I'm looking to just do a small addition just to that dormer on the second floor.

CHAIRMAN PETRILLO: Okay, and do you reside in this home?

MS. DUNNE: No, I do not.

CHAIRMAN PETRILLO: This is an investment property for you?

MS. DUNNE: Yes, it is.

CHAIRMAN PETRILLO: Okay, and currently, as an investment property, logic tells you if you do this addition you're increasing the square footage, the house is more attractive and you'll get more money.

MS. DUNNE: Yes, and I mean, honestly, with the way that the house is laid out currently, if you had more than one kid, you're kind of stuck up a tree.

CHAIRMAN PETRILLO: Yes. So, this is an improvement to the neighborhood that's not only going to increase the value of your home but all the surrounding homes around it.

MS. DUNNE: Yes, and you know, I did my best when I designed it to make sure that it kind of took it up a notch in terms of the appearance of the house. It's kind of a sad little house now and I tried to do something to it to make it a little more traditional Cape Cod, a little more, you know, curb appeal. Give it a little bit more timeless look to the house.

CHAIRMAN PETRILLO: Are there any other questions or comments from any of the Board members? Anybody in the audience wishes to be heard? No, you're lucky there.

All right. I don't have anything further. This was a very reasonable request. I think most importantly for me is the investment that the Petitioner is making, it's going to increase the value of the home, not only of that home but the homes in the surrounding area and it doesn't detract from the character of the neighborhood. The unique circumstance is that it's already an existing nonconforming, so I'd be in favor of the petition, I mean granting the petition if there is such a motion.

MR. SIAVELIS: I'll move.

CHAIRMAN PETRILLO: Is there a second?

MR. GEISEL: Second.

CHAIRMAN PETRILLO: We have a motion to approve and a second.
Derek?

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Yes.

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Geisel.

DRAFT

MR. GEISEL: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes.

MS. DUNNE: Thank you, guys.

CHAIRMAN PETRILLO: Good luck!

MS. DUNNE: I am so excited. I'll come back to Arlington Heights again.

CHAIRMAN PETRILLO: Good thing you didn't start, the rain would have washed -- well, it's a renovation but they've left everything open, the hardwood floors have all turned and maybe they were going to replace them anyway.

MS. DUNNE: Yes, but that's still causing a lot of problems.

CHAIRMAN PETRILLO: Derek, is there any other business that we need to discuss? Do we need a motion to adjourn?

MR. MACH: Motion to adjourn, yes.

CHAIRMAN PETRILLO: Is there a motion to adjourn?

MR. DIVITO: Absolutely.

CHAIRMAN PETRILLO: And a second?

MR. GEISEL: Second.

CHAIRMAN PETRILLO: All those in favor, say aye.

(Chorus of ayes.)

CHAIRMAN PETRILLO: All those opposed, say nay.

(No response.)

CHAIRMAN PETRILLO: None being heard, close the record, we are adjourned.

(Whereupon, the above-mentioned petition was adjourned at 7:51 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS May 12, 2015

PETITIONER: Dunn Residence
ADDRESS OF PROPERTY: 1008 N. Kaspar Ave.
VARIATION: 5.1-3.6, 5.4

A 1.2 foot variance to allow a second-story addition with a front yard setback of 23.8 feet from the east property line instead of the minimum 25.0 feet.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are proposing a second story addition to the existing home. The petitioner explained that the existing footprint of the home is non-conforming therefore in order to build the addition above the existing wall, a variation is necessary.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of a variance, namely; that the petitioners would sustain a hardship if the variance were not granted; that the situation of the petitioners is unique; and, that the granting of a variance would not alter the essential character of the neighborhood. Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Thereafter, a motion was made by Mr. Siavelis and seconded by Mr. Selbka. Thereafter, the Board voted 5-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 5-0 to grant the variance as requested.

The granting of a variance for this property shall not be construed as an approval to construct or encroach upon any easement areas unless written consent has been granted by each utility company and a copy of each letter is on file with the petition for this variation, nor be construed as a waiver of any requirements of the building code or other applicable ordinances of the Village.

It is expressly noted that no order of this Board permitting the aforesaid variance shall be valid for a period longer than one (1) year unless such construction is started and proceeds to completion within the terms of such permit.

Anthony Petrillo, Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: ZBA#15-008 - Petermann Residence - 903 W. George St.

Department: Planning & Community Development

REQUEST

A 3.8 foot variance from Chapter 28, Section 5.1-2.7 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an addition with a rear yard setback of 26.2 feet from the south property line instead of the minimum 30.0 feet and an additional 1.0 feet for the eave.

ATTACHMENTS:

Description	Type
Staff Report	Report
Department Comments	Correspondence
Supporting Documents & Drawings	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 8, 2015
Date Prepared: June 1, 2015
Project Title: Petermann Residence
Address: 903 W. George St.

Background Information

Petition Number: ZBA #15-008
Petitioner: Michael & Lindsey Petermann
Address: 903 W. George St.
Arlington Heights, IL 60004
Existing Zoning: R-2, Single-Family

Requested Action/Background Information

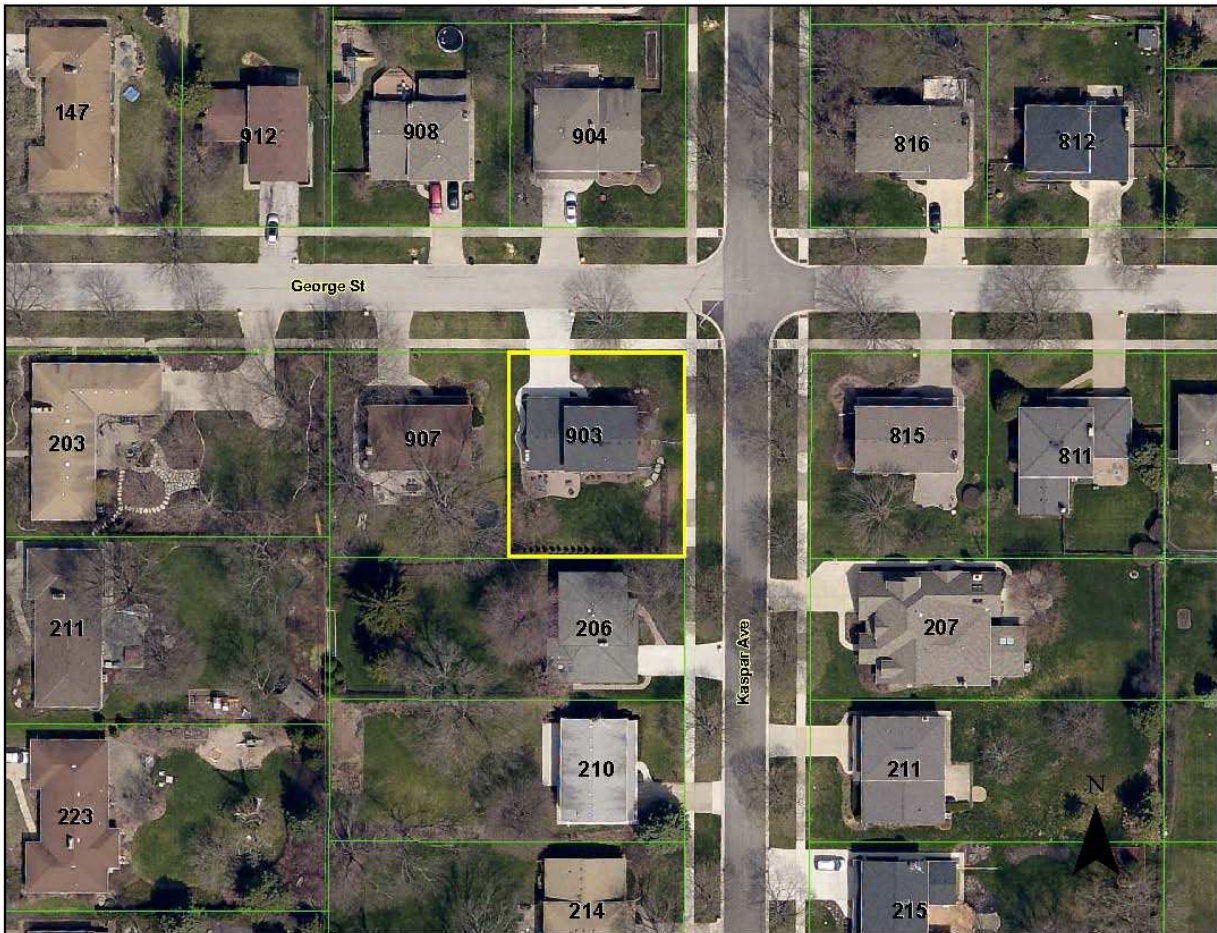
The petitioner is proposing a one story addition in the rear of the home. The proposed addition is encroaching into the required rear yard setback. Therefore, the petitioner requests the following variation:

- **A 3.8 foot variance from Chapter 28, Section 5.1-2.7 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an addition as shown on the plans prepared by Architectural Design Concepts dated 4/27/15 for a rear yard setback of 26.2 feet from the south property line instead of the minimum 30.0 feet and an additional 1.0 feet for the eave.**

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and (2) the plight of the owner is due to unique circumstances; and (3) the variation, if granted, will not alter the essential character of the locality. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the three conditions enumerated.

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	5/22/15	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/22/15	
3. Letter that was Mailed	✓	5/22/15	
4. Photographs of Sign on Property	✓	5/22/15	

Photograph of Existing Structure



PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Petermann Residence

Project Address: 903 W. George St.

ZBA #: 15-008

ZBA Hearing Date: June 8, 2015

To: Jim Massarelli, Director of Engineering
Charley Craig, Building Services

C: Bill Enright, Deputy Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 20, 2015

A 3.8' variance from Chapter 28, Section 5.1-2.7 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an addition with a rear yard setback of 26.2 feet from the south property line instead of the minimum 30.0 feet and an additional 1.0 feet for the eave.

Attached are the Petitioner's:

- ☐ Application & Petition
- ☐ Plat of Survey
- ☐ Site Plan
- ☐ Other: _____

Comments: A DESIGN COMMISSION APPLICATION IS REQUIRED, BUT
NO APPARENT ZONING RELATED DESIGN CONCERNS.

Please review, comment, and return to me no later than Friday, May 29, 2015.

- S. HAUTZINGER, DESIGN PLANNER

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Petermann Residence

Project Address: 903 W. George St.

ZBA #: 15-008

ZBA Hearing Date: June 8, 2015

To: Jim Massarelli, Director of Engineering
Charley Craig, Building Services

C: Bill Enright, Deputy Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 20, 2015

A 3.8' variance from Chapter 28, Section 5.1-2.7 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an addition with a rear yard setback of 26.2 feet from the south property line instead of the minimum 30.0 feet and an additional 1.0 feet for the eave.

Attached are the Petitioner's:

- ☐ Application & Petition
- ☐ Plat of Survey
- ☐ Site Plan
- ☐ Other: _____

Comments: NO COMMENTS. BY: DEB PIERCE, PLAN REVIEWER

Please review, comment, and return to me no later than Friday, May 29, 2015.

RECEIVED
MAY 26 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT
Planning & Community Development

ZBA# 15-008

903 W George St - ZBA

Rev. Eng: Nanci Julius, P.E.

cc: James J. Massarelli, P.E. Director of Engineering

994

Submitted: May 21, 2015

Completed – May 29, 2015

The proposed ZBA application indicates that the petitioner is seeking:

A 3.8 ft variance to allow an addition with a rear yard setback of 26.2 ft from the south property line instead of the minimum 30 ft with an additional 1 ft for the eave.

The Engineering Department has no objection to this variance.

PETITION

NOW COMES the Petitioners **Michael & Lindsay Petermann** being the Owners of the property commonly known as **903 W. George St.**, and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from **Section 5.1-2.7A** of the Arlington Heights Municipal Code in order to:

Construct a one story addition encroaching 3.75 feet into the required 30 feet of the rear yard setback.

I hereby state that the following hardships would exist if the variation were not granted:

The Owners have a large amount of extended family in the area and want to add a space big enough to accommodate everyone at the many family gatherings. As the home currently exists, there is no one space or adjoining spaces that meet this need. Being life-long Arlington Heights residents they like their neighborhood and home and don't wish to leave.

I hereby state that the following unique circumstances exist:

Yard constraints limit the placement of the addition due to how the existing home is situated on the lot. Design efforts have been exhausted in trying to comply with setback requirements.

I hereby state that the variation, if granted, will not alter the character of the locality because:

The addition will integrate seamlessly and coupled with the exterior updates/enhancements planned for the existing home; these improvements will be an asset to the neighborhood while increasing the value of the property and that of the surrounding homes.

Signed: _____

Petitioner

Date: _____

5/8/15



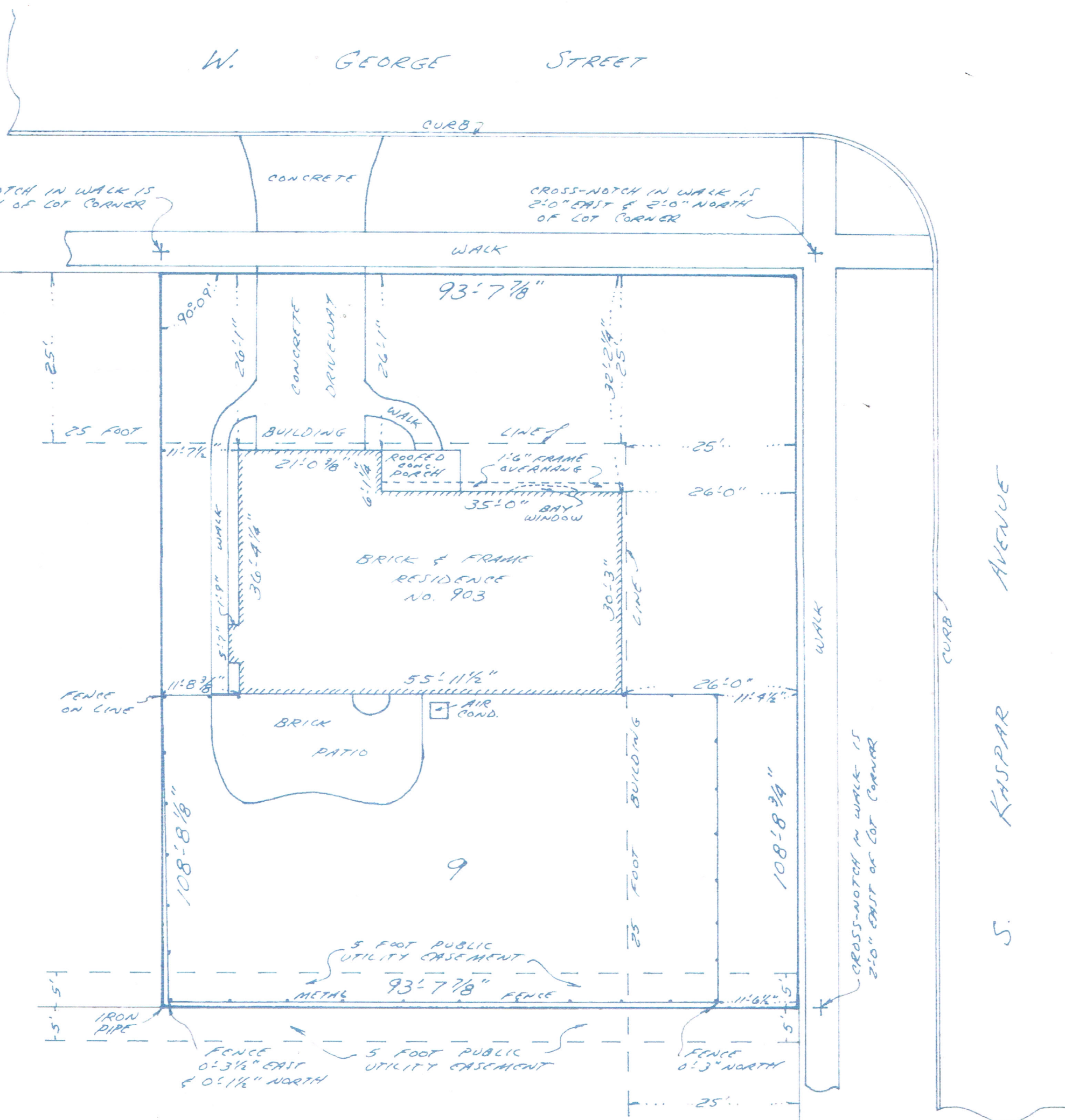
of

301 N. Wille Street
Mt. Prospect, IL 60056

(847) 2

Lot 9 Pioneer Ridge Estates, a Resubdivision of certain Lots in Arlington Manor, being a Subdivision of part of the Southeast $\frac{1}{4}$ of Section 30 and all of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 31, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

4 = 15 FEET



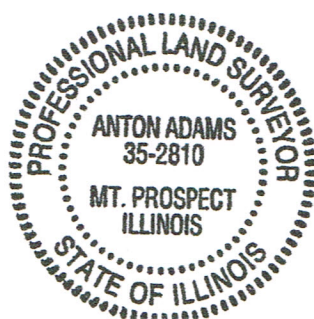
BER: 46989

42-11-106

PAGE: 133

JOHN G. O'BRIEN

A description on this plat with deed or title policy. Compare all building by same and report any differences at once. Building lines, if any, are shown as they appear on the recorded plat of otherwise refer to deed, title policy or Zoning ordinances. Distances may not be assumed by scaling.

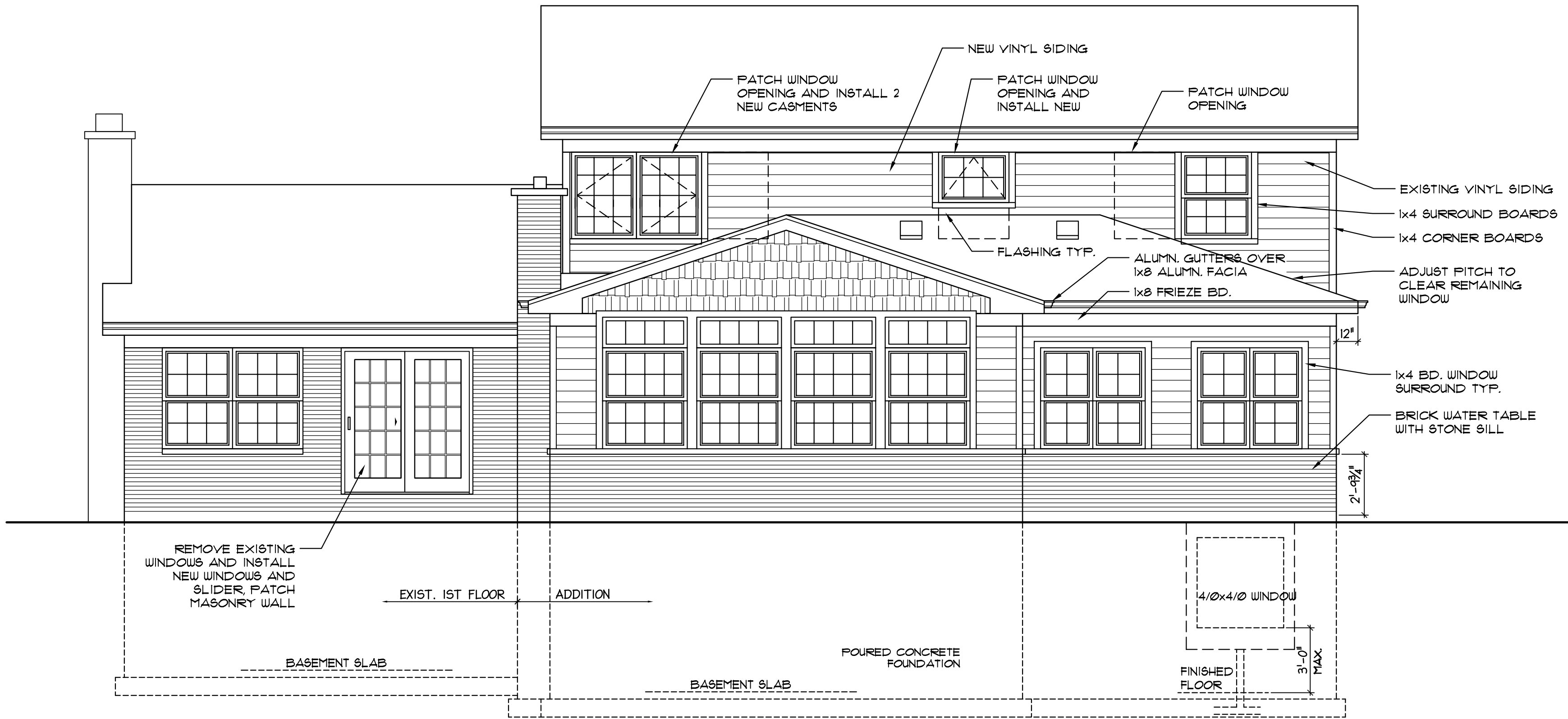


STATE OF ILLINOIS)
COUNTY OF COOK) ss.

I, **ANTON ADAMS**, Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and that the plat hereon is a correct representation thereof. This professional service conforms to the current Illinois minimum standards for a boundary survey.

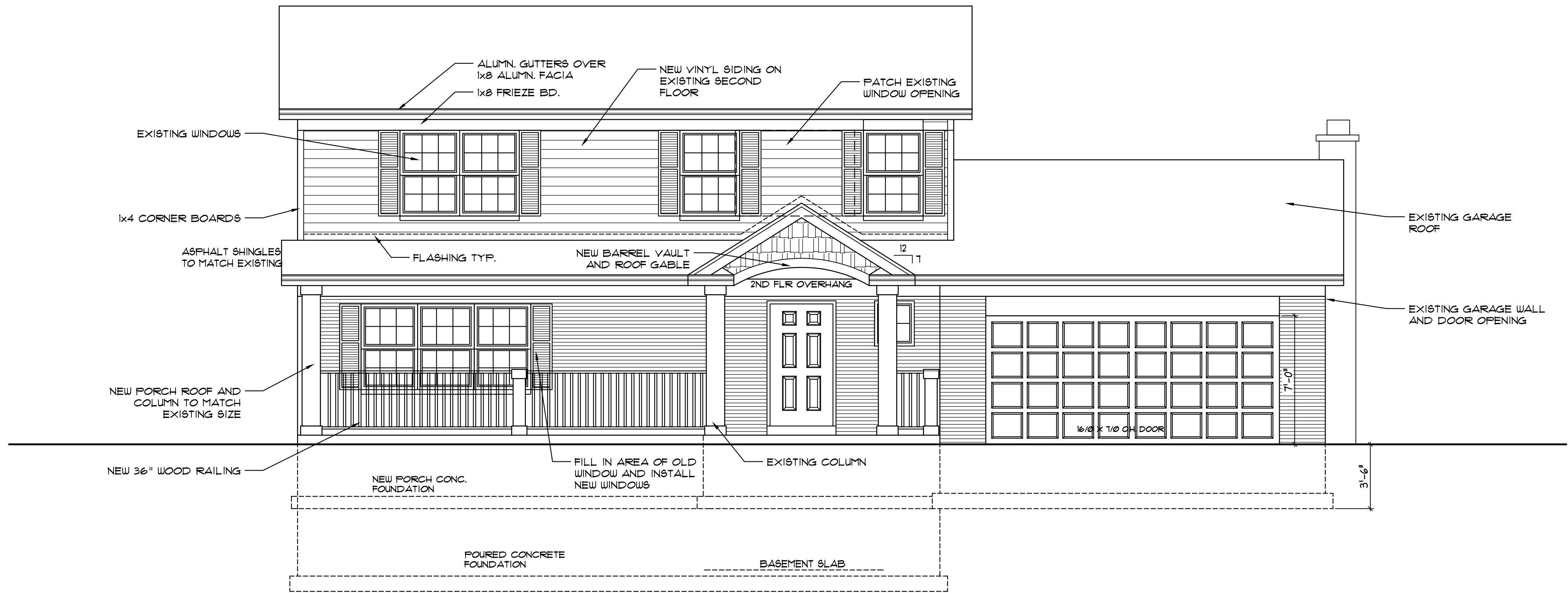
MOUNT PROSPECT, ILLINOIS. SEPTEMBER 15 A.D. 2011

For the Record



REAR ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

PROJECT DATA

ALL CONSTRUCTION MUST CONFORM TO THE FOLLOWING BUILDING CODES:
2009 INTERNATIONAL RESIDENTIAL CODE, AS AMENDED BY AH.
2009 NATIONAL ELECTRICAL CODE, AS AMENDED BY AH.
2014 ILLINOIS PLUMBING CODE, AS AMENDED BY AH.
2009 INTERNATIONAL MECHANICAL CODE, AS AMENDED BY AH.
2012 ILLINOIS ENERGY CODE, AS AMENDED BY AH.

COMPONENT STATEMENT

THESE DRAWINGS WERE PREPARED UNDER THE ARCHITECT'S SUPERVISION. RESPONSIBILITY IS WAIVED FOR ALL STRUCTURAL COMPONENTS, SUCH AS, FLOOR TRUSSES AND ROOF TRUSSES WHICH HAVE SEPARATE DRAWINGS PREPARED BY LICENSED STRUCTURAL ENGINEERS EMPLOYED BY THE MANUFACTURER.

GENERAL REQUIREMENTS

1) THESE CONDITIONS ARE A PART OF THE SPECIFICATIONS AND APPLY TO THE WORK OF THE BUILDER AND ALL SUB-CONTRACTORS. ALL MATERIALS AND FIXTURES THROUGHOUT SHALL BE OF FIRST QUALITY. DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS ONLY. CONTACT ARCHITECT IMMEDIATELY WITH ANY CONFLICTING DIMENSIONS OR CONDITIONS. ALL WORK SHALL BE EXECUTED IN STRICT ACCORDANCE WITH THE BUILDING ORDINANCE REQUIREMENTS AND TO THE SATISFACTION OF THE BUILDING COMMISSIONER OF THE MUNICIPALITY. EACH AND EVERY TRADE SHALL BE RESPONSIBLE FOR THEIR WORKMEN AND EQUIPMENT MEETING ALL GOVERNMENT HEALTH AND SAFETY STANDARDS FOR THE BUILDING TRADES. IT SHALL BE THE DUTY AND RESPONSIBILITY OF EACH CONTRACTOR AND SUBCONTRACTOR TO ARRANGE WITH OTHER TRADES SO THAT HIS OWN WORK MAY PROCEED WITHOUT INTERRUPTION AND IN CONJUNCTION WITH AND IN HARMONY WITH EVERY OTHER TRADE.

DRAWING INDEX

ELEVATIONS:

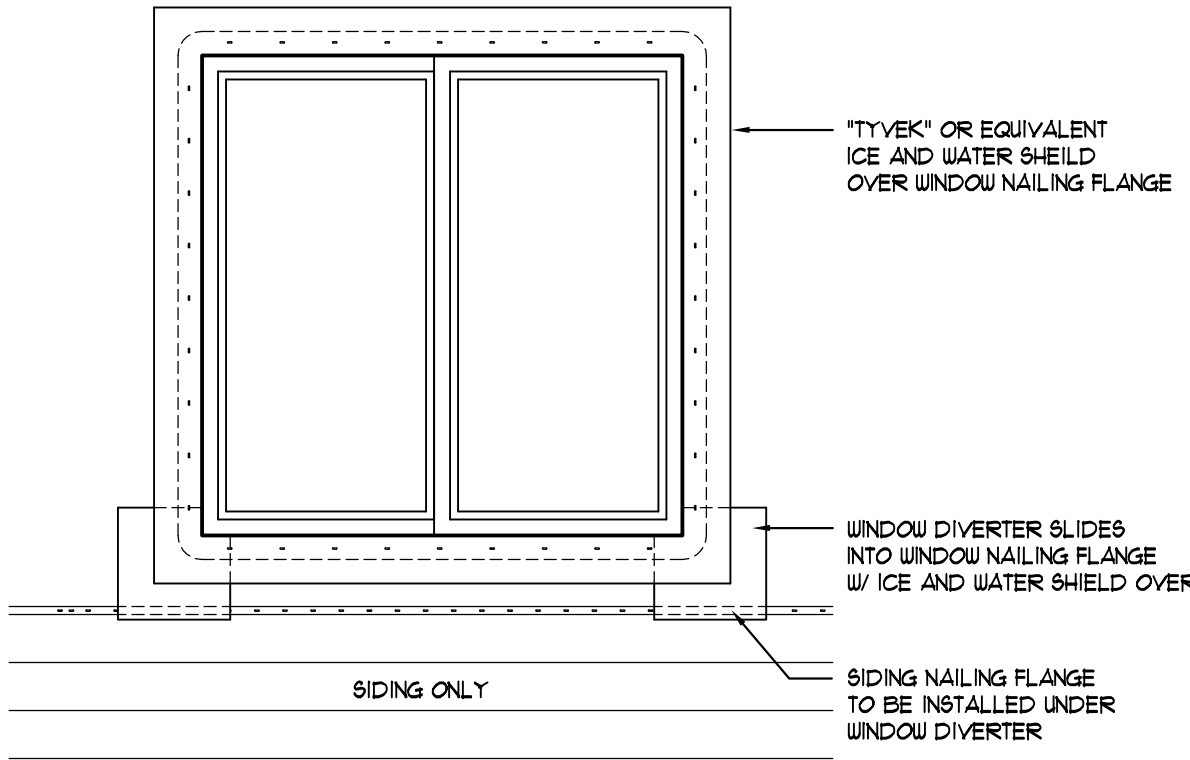
A1 - ELEVATIONS - FRONT & REAR 04-21-15
A2 - ELEVATIONS - RIGHT & LEFT - FOUNDATION 04-21-15

FLOOR PLANS:

A3 - FIRST FLOOR PLAN & DEMO PLAN 04-21-15
A4 - SECOND FLOOR PLAN & DEMO PLAN 04-21-15

CERTIFICATION AND SEAL

EXPIRATION DATE: _____
I HAVE PREPARED, OR CAUSED TO BE PREPARED UNDER MY DIRECT SUPERVISION, THE ATTACHED PLANS AND SPECIFICATIONS AND STATE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF AND TO THE EXTENT OF MY CONTRACTUAL OBLIGATION, THEY ARE IN COMPLIANCE WITH THE ENVIRONMENTAL BARRIERS ACT (ILL. REV. STATE. 1985, CH. III 1/2, PARS. 3111 ET SEQ. AS AMENDED) AND THE ILLINOIS ACCESSIBILITY CODE, 11 ILL. ADM. CODE 400.
DATE SIGNED: _____



WINDOW DIVERTER DETAIL

SCALE: 1/2" = 1'-0"

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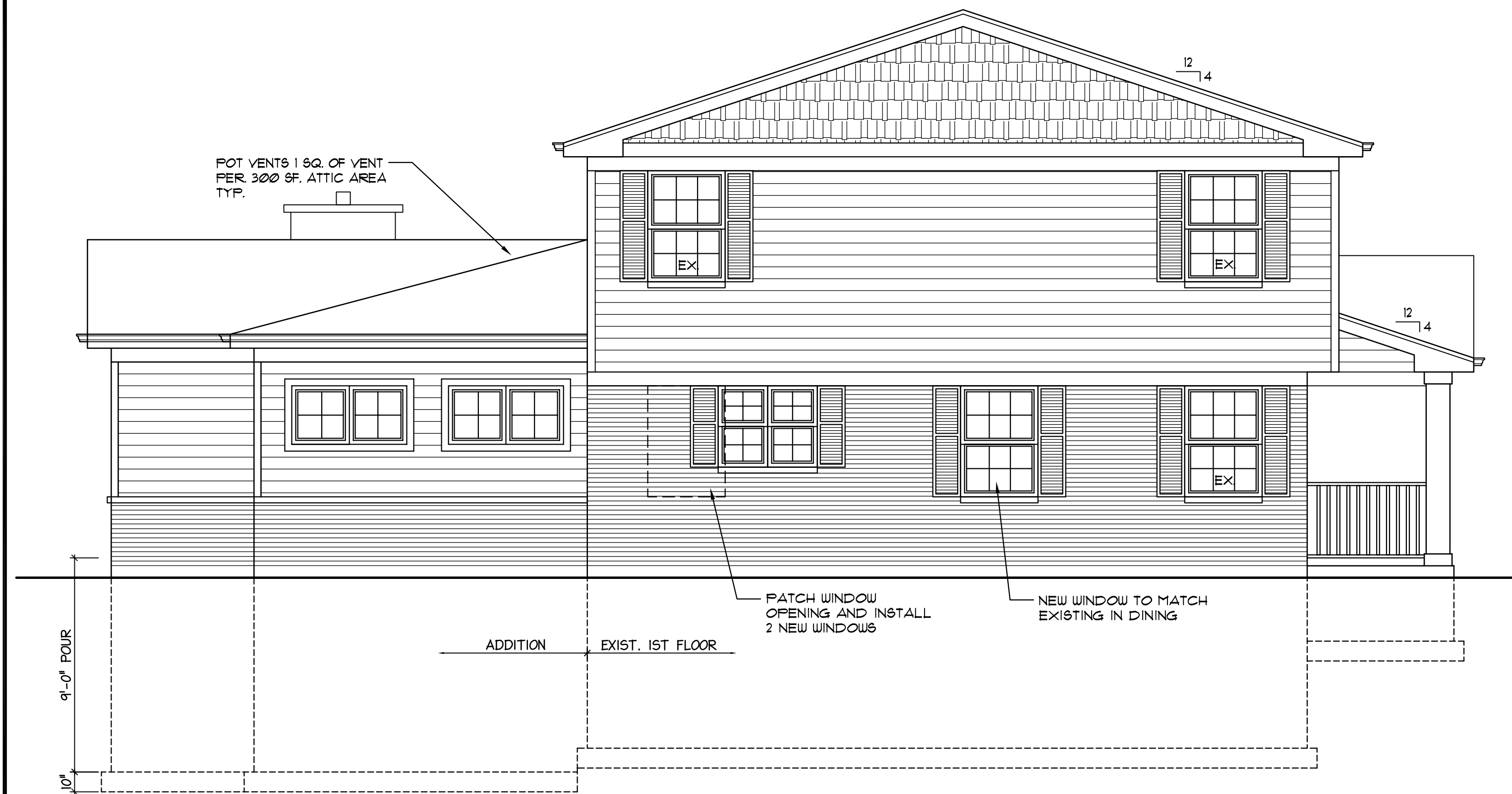
Architectural
DESIGN CONCEPTS, INC.
PO Box 859061
Hoffman Estates, IL 60195
Tel: 847.323.9970
Em: cbadaea@adcarchitects.net
ARCHITECTS
Professional Design Firm License No: 184-004317

SINGLE FAMILY HOME ADDITION
FOR PETERMAN'S
903 W. George St
Arlington Heights, Illinois

delta renovations inc
422 North Hough St
Barrington, IL 60010
ph: 847-271-1305

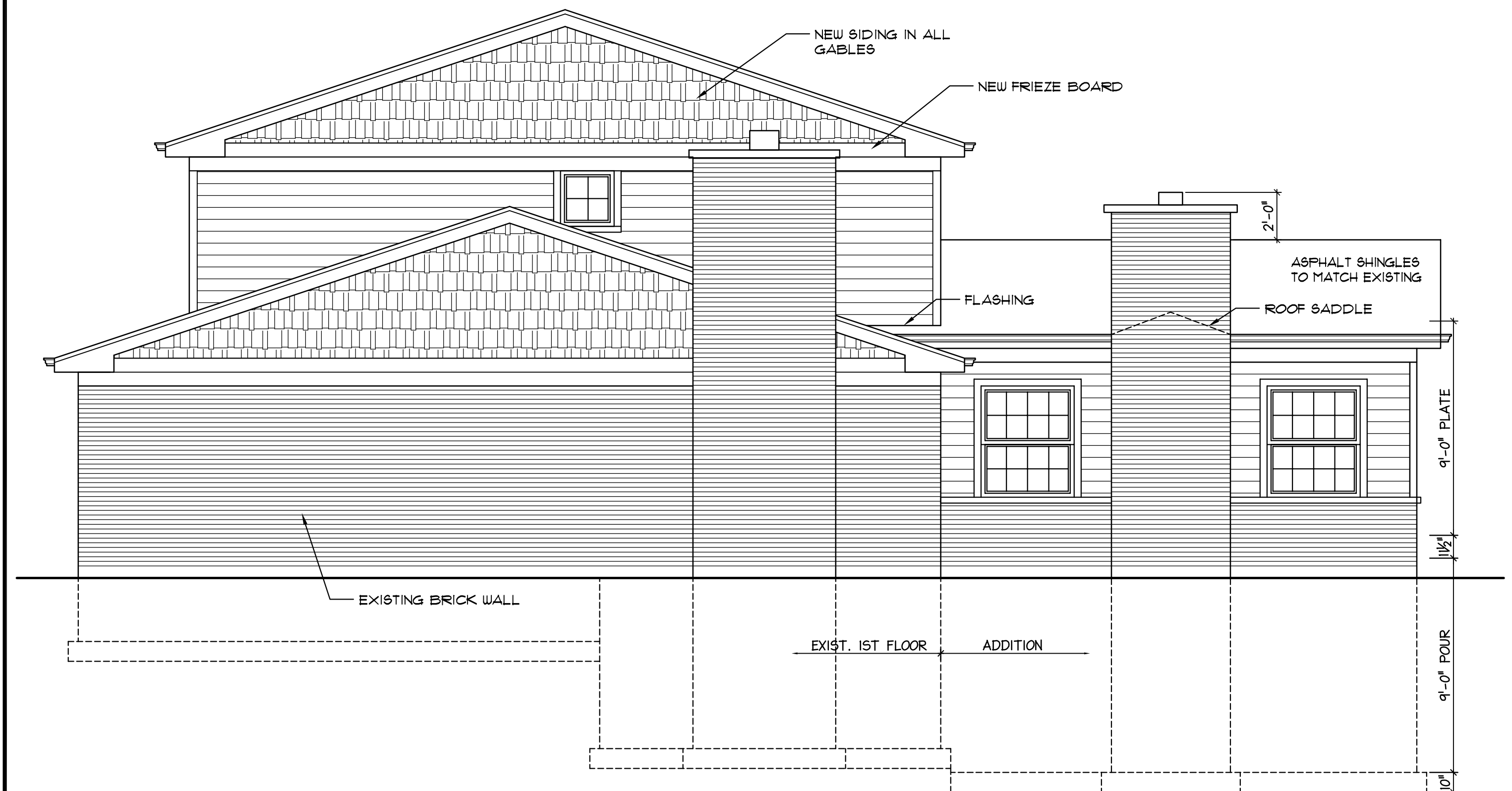
DATE: 2/15/15 BY: CB
REVISION: 3/13/15 BIDS
4/22/15 VARIANCE
4/27/15 REVISED
PROJECT NO. B05

A1



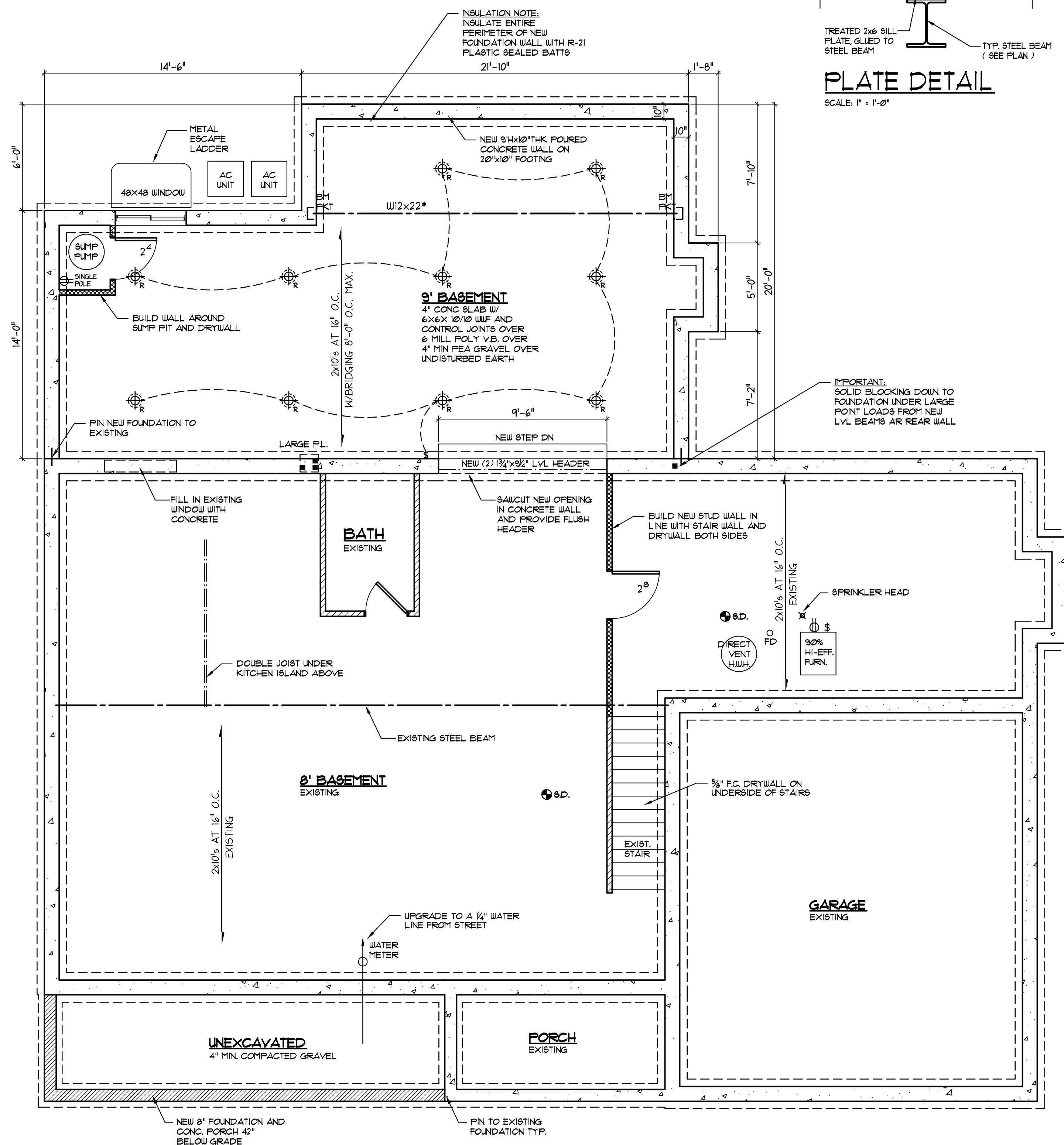
LEFT ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

9'-0" NEW POUR

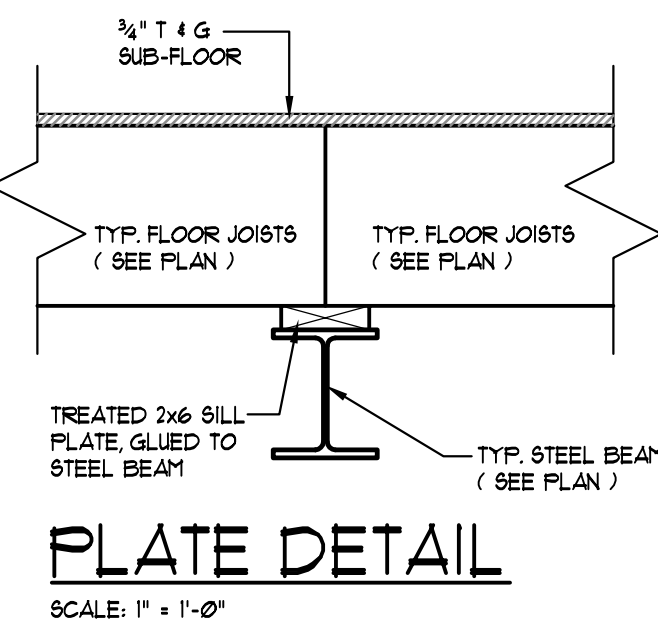


PLATE DETAIL

SCALE: 1" = 1'-0"

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**SINGLE FAMILY HOME ADDITION
FOR PETERMAN'S**
903 W. George St
Arlington Heights, Illinois

delta renovations inc
422 North Hough St
Barrington, IL 60010
ph: 847-277-1305

DATE:	BY:
2/15/15	CS
REVISION:	
3/13/15 BIDS	
4/22/15 VARIANCE	
4/27/15 REVISED	
PROJECT NO.	
1305	



Item: ZBA#15-009 - Lytle Residence - 630 S. Beverly Ln.

Department: Planning & Community Development

REQUEST

A 10.2 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an addition with a side yard setback of 4.8 feet from the north property line instead of the minimum 15.0 feet and an additional 1.0 feet for the eave.

ATTACHMENTS:

Description

Staff Report
Department Comments
Supporting Documents & Drawings
Resident Letter - Hill

Type

Report
Correspondence
Exhibits
Correspondence

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 8, 2015
Date Prepared: June 1, 2015
Project Title: Lytle Residence
Address: 630 S. Beverly Ln.

Background Information

Petition Number: ZBA #15-009
Petitioner: Rick & Alicia Lytle
Address: 630 S. Beverly Ln.
Arlington Heights, IL 60004
Existing Zoning: R-3, Single-Family

Requested Action/Background Information

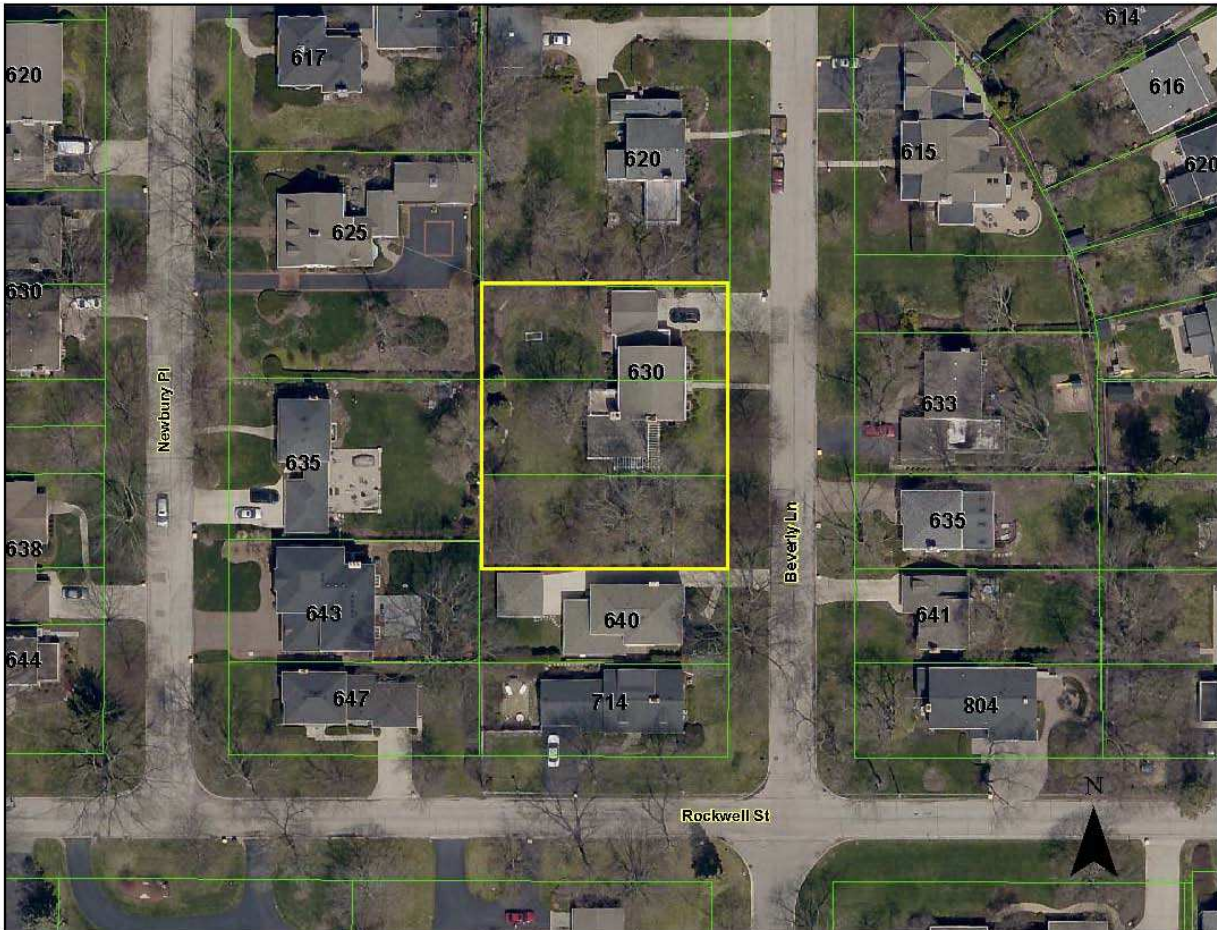
The petitioner is proposing a second story addition above the existing garage and a one story addition in the rear of the home. The proposed addition is encroaching into the required side yard setback. Therefore, the petitioner requests the following variation:

- **A 10.2 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an addition as shown on the plans prepared by Architectural Design Concepts dated 4/23/15 for a side yard setback of 4.8 feet from the north property line instead of the minimum 15.0 feet and an additional 1.0 feet for the eave.**

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and (2) the plight of the owner is due to unique circumstances; and (3) the variation, if granted, will not alter the essential character of the locality. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the three conditions enumerated.

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	5/22/15	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/22/15	
3. Letter that was Mailed	✓	5/22/15	
4. Photographs of Sign on Property	✓	5/22/15	

Photograph of Existing Structure



PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Lytle Residence

Project Address: 630 S. Beverly Ln.

ZBA #: 15-009

ZBA Hearing Date: June 8, 2015

To: Jim Massarelli, Director of Engineering
Charley Craig, Building Services

C: Bill Enright, Deputy Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 20, 2015

A 10.2 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an addition with a sideyard setback of 4.8 feet from the north property line instead of the minimum 15.0 feet and an additional 1.0 feet for the eave.

Attached are the Petitioner's:

- ☐ Application & Petition
- ☐ Plat of Survey
- ☐ Site Plan
- ☐ Other: _____

Comments: A DESIGN COMMISSION APPLICATION IS REQUIRED,
BUT NO APPARENT ZONING RELATED DESIGN CONCERNS.

Please review, comment, and return to me no later than Friday, May 29, 2015.

-S. HAUTZINGER, DESIGN PLANNER

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Lytle Residence

Project Address: 630 S. Beverly Ln.

ZBA #: 15-009

ZBA Hearing Date: June 8, 2015

To: Jim Massarelli, Director of Engineering
Charley Craig, Building Services

C: Bill Enright, Deputy Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 20, 2015

A 10.2 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an addition with a sideyard setback of 4.8 feet from the north property line instead of the minimum 15.0 feet and an additional 1.0 feet for the eave.

Attached are the Petitioner's:

- ☐ Application & Petition
- ☐ Plat of Survey
- ☐ Site Plan
- ☐ Other: _____

Comments: NO COMMENTS BY: DOB PIERCE, PLAN REVIEWER

Please review, comment, and return to me no later than Friday, May 29, 2015.

RECEIVED

MAY 26 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

ZBA# 15-009

603 S Beverly Ln - ZBA

Rev. Eng: Nanci Julius, P.E.

cc: James J. Massarelli, P.E. Director of Engineering

994

Submitted: May 21, 2015

Completed – May 29, 2015

The proposed ZBA application indicates that the petitioner is seeking:

A 10.2 ft variance to allow an addition with a sideyard setback of 4.8 ft from the north property line instead of the minimum 15 ft and an additional 1 ft for the eave.

The setback of the existing home is 4.8 ft from the north property line, which is nonconforming. The proposed variance will not increase this nonconformity. **The Engineering Department has no objection to this variance.**

PETITION

NOW COMES the Petitioners **Rick & Alicia Lytle**, being the Owners of the property commonly known as **630 S. Beverly Lane**, and appeals to the Zoning Board of Appeals of the Village of **Arlington Heights** for a Variation from **Section 5.1-3.6A** of the **Arlington Heights Municipal Code** in order to:

Construct a second floor addition encroaching 10.2 feet into the required 15 feet of the existing non-conforming side yard setback.

I hereby state that the following hardships would exist if the variation were not granted:

In order to give the family more needed space, designing an addition anywhere but the Northwest side of the home would not be practical due to the existing layout and be extremely cost prohibitive. The only realistic avenue is to extend to the rear yard along the already non-conforming side yard setback to keep the flow and original intent of the home's design.

I hereby state that the following unique circumstances exist:

The Owner's property encompasses 3 lots which create an unusual setback requirement situation. The house is positioned on only 2 of these lots and is located 4.8 feet from the North side lot line (existing non-conforming setback).

I hereby state that the variation, if granted, will not alter the character of the locality because:

The addition will blend cohesively with the existing home which will enhance its charm and that of the neighborhood, while increasing the value of the property and the surrounding homes.

Signed: _____

Petitioner

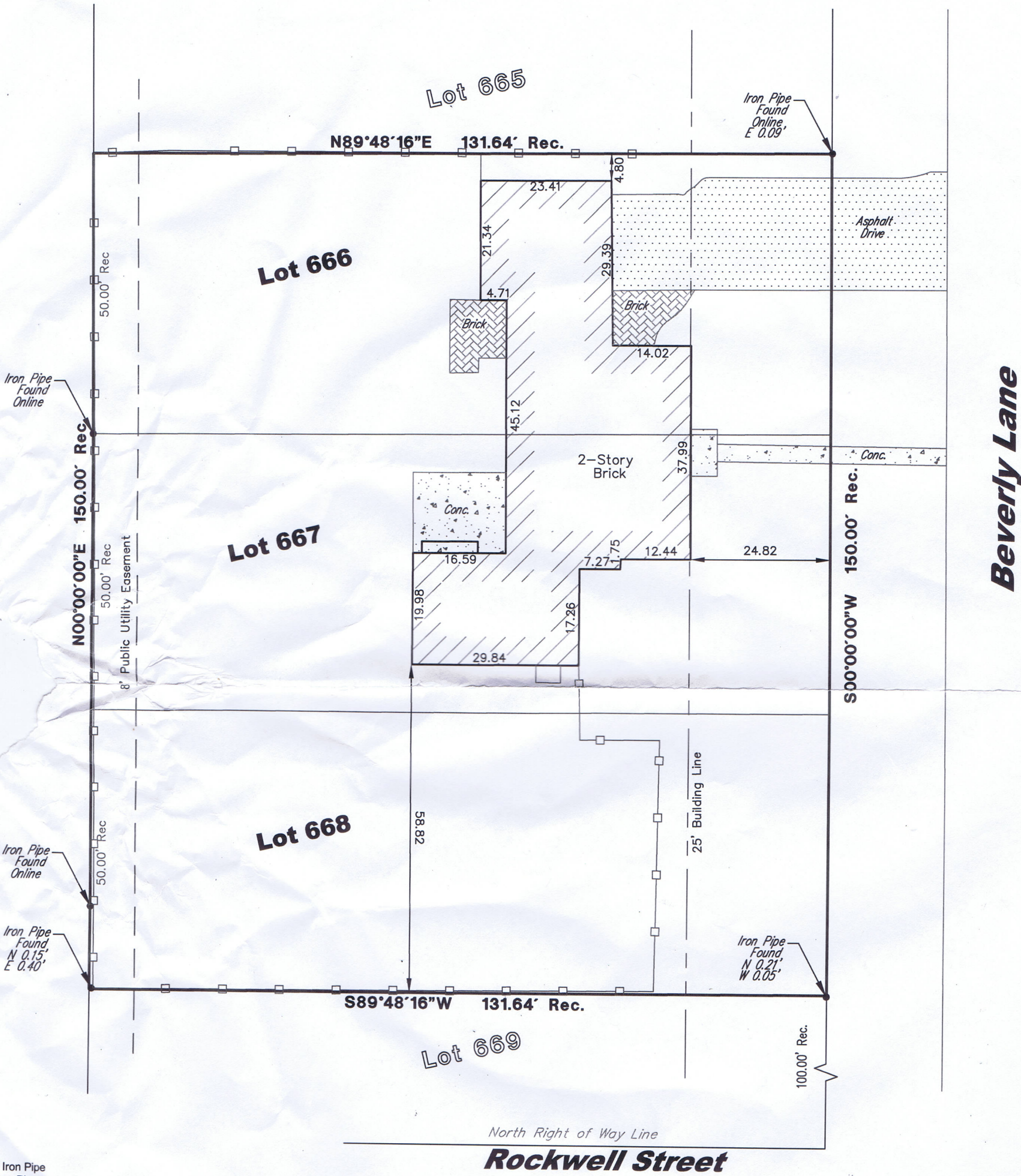
Date: _____

5/7/15



PLAT OF SURVEY

LOT 666, 667 AND 668 IN SCARSDALE, BEING A SUBDIVISION OF PART OF THE WEST HALF (1/2) OF THE EAST HALF (1/2) AND PART OF THE EAST HALF (1/2) WEST HALF (1/2) OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



Legend:

- O-Set 1/2" Iron Pipe
- Found Iron Pipe
- X-Found Cross

Surveyor Notes:

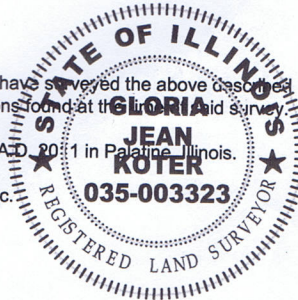
- Field Work Completed on 12-27-11
- Prepared for Survey Services, Inc, for real estate transaction.
- Site Address: 630 S. Beverly Lane, Arlington Heights, IL
- Pin No.: 03-32-401-020, 021, 022
- The easements shown hereon are provided from the current title and the use of the recorded subdivision plat. No search of the records for easements or encumbrances was made as part of this survey.
- Compare deed description and site conditions with the data given on this plat and report any discrepancies to the surveyor at once.

State of Illinois)
(SS)
County of Cook)

We, Land Surveying Services, Inc. do hereby state that we have surveyed the above described property and that this is the Plat that represents the conditions found at the time of said survey.
Given under my hand and seal this 28th day of December, A.D. 2011 in Palatine, Illinois.
Gloria Jean Koter, an agent for Land Surveying Services, Inc.

Illinois Professional Land Surveyor Number 3323
License Expiration Date 11-30-12

This professional service conforms to the current Illinois minimum standards for a boundary survey.

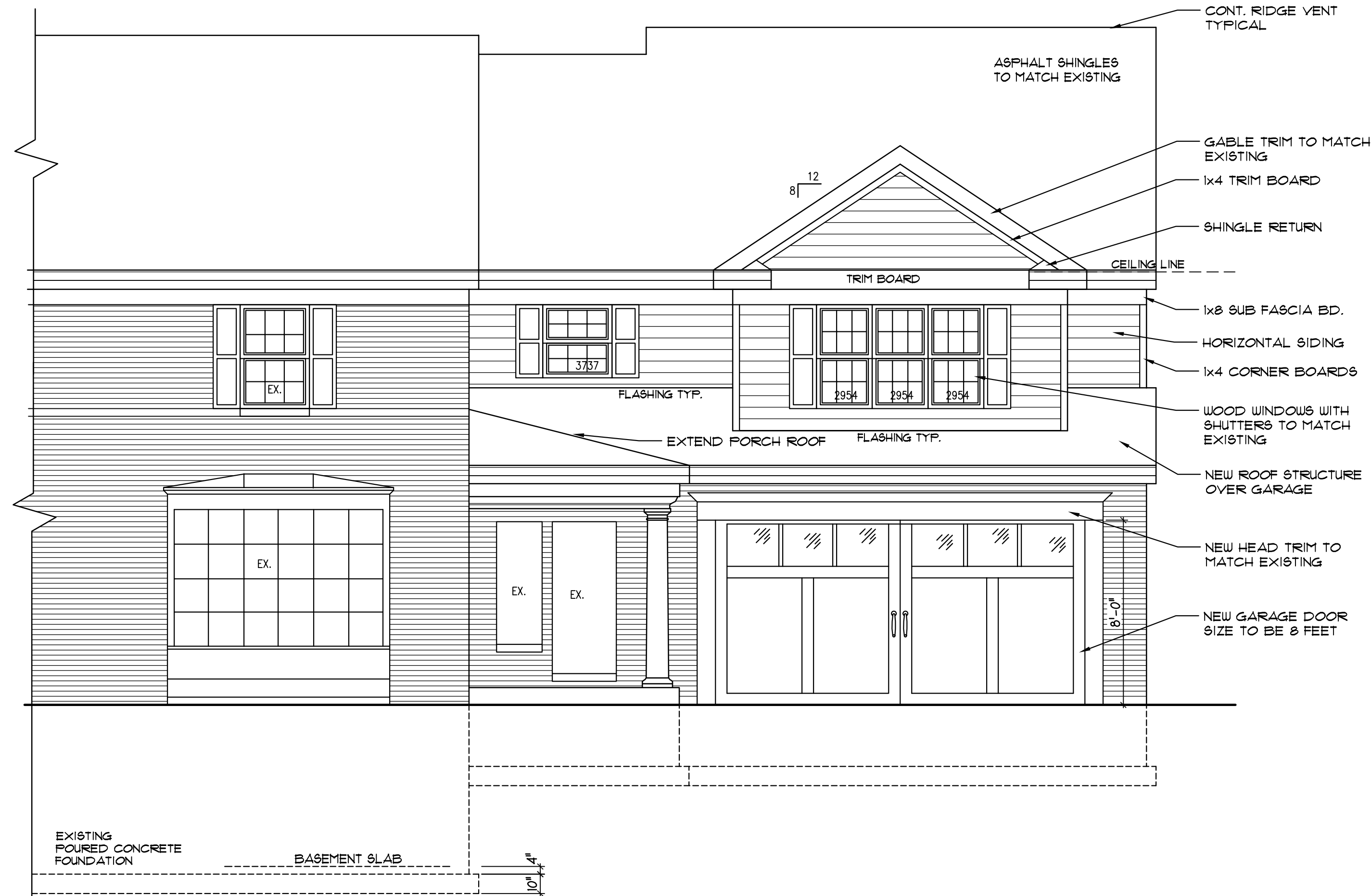


Job Number	LS110629
Sheet Name	PLAT OF SURVEY
Sheet Number	SURVEY

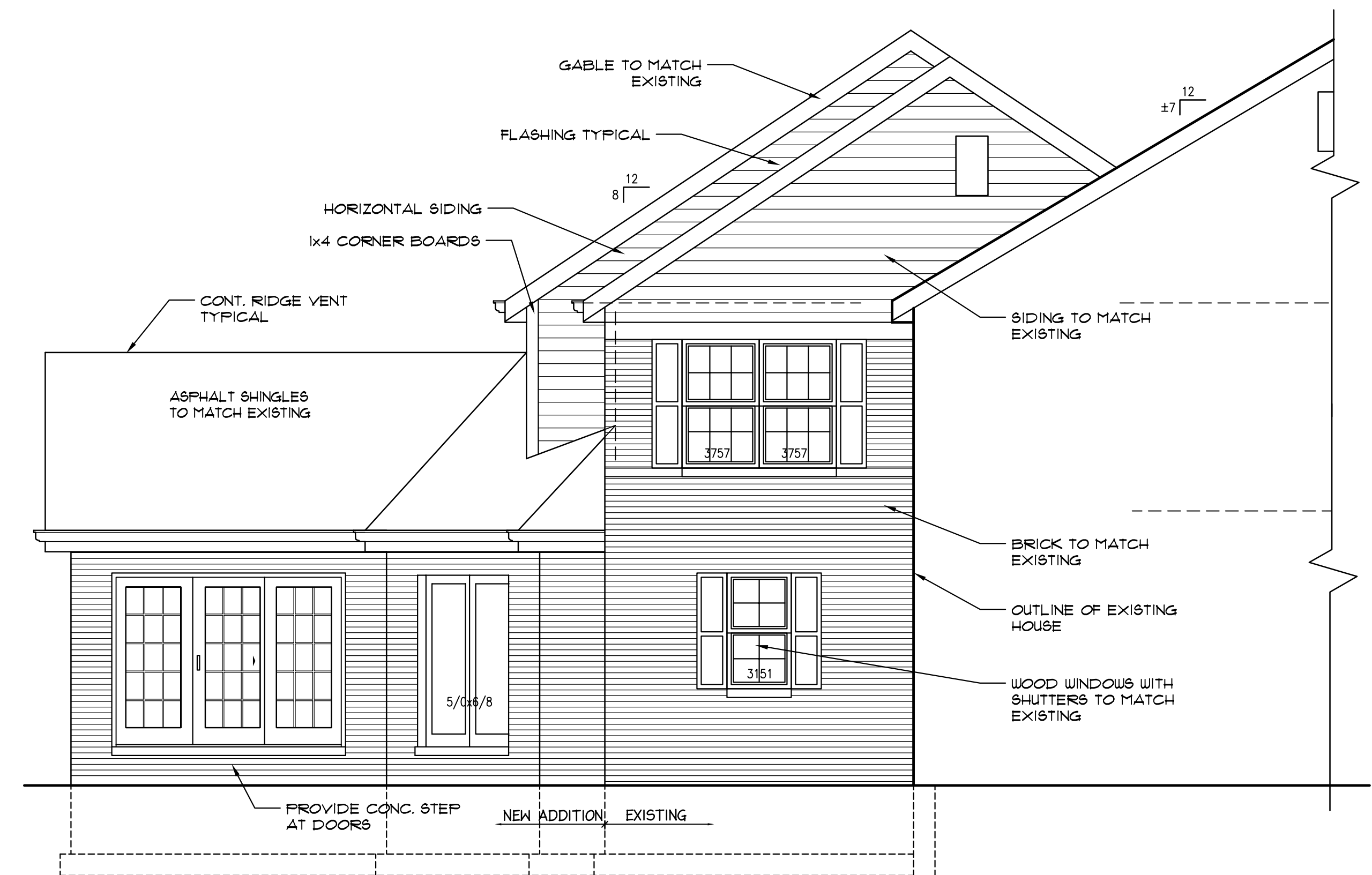
	Land Surveying Services, Inc.
574 W. Colfax Street	Palatine, Illinois 60067
Ph. (847)991-7700	Fax. (847)991-7707
Professional Design Firm License No. 184-003632	

Field Work Completed:	12-27-11
Scale: 1" = 20'	Date: 12-28-11
Site Address:	
630 S. Beverly Lane	
Arlington Heights, Illinois	

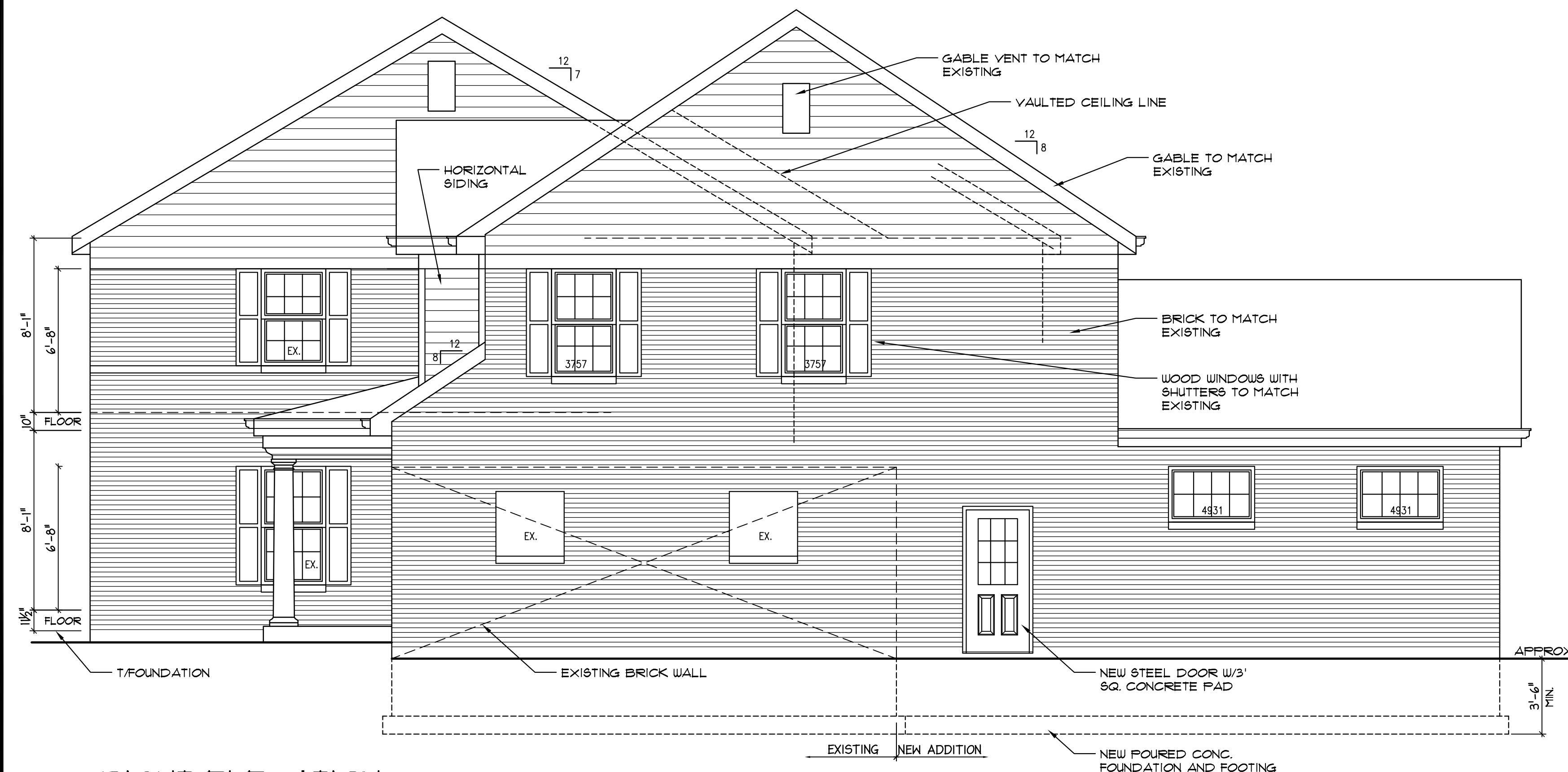
Drawn By: MPS	Checked By: GJK		
Drawing Revisions			
REVISION	Date	Drawn	Checked



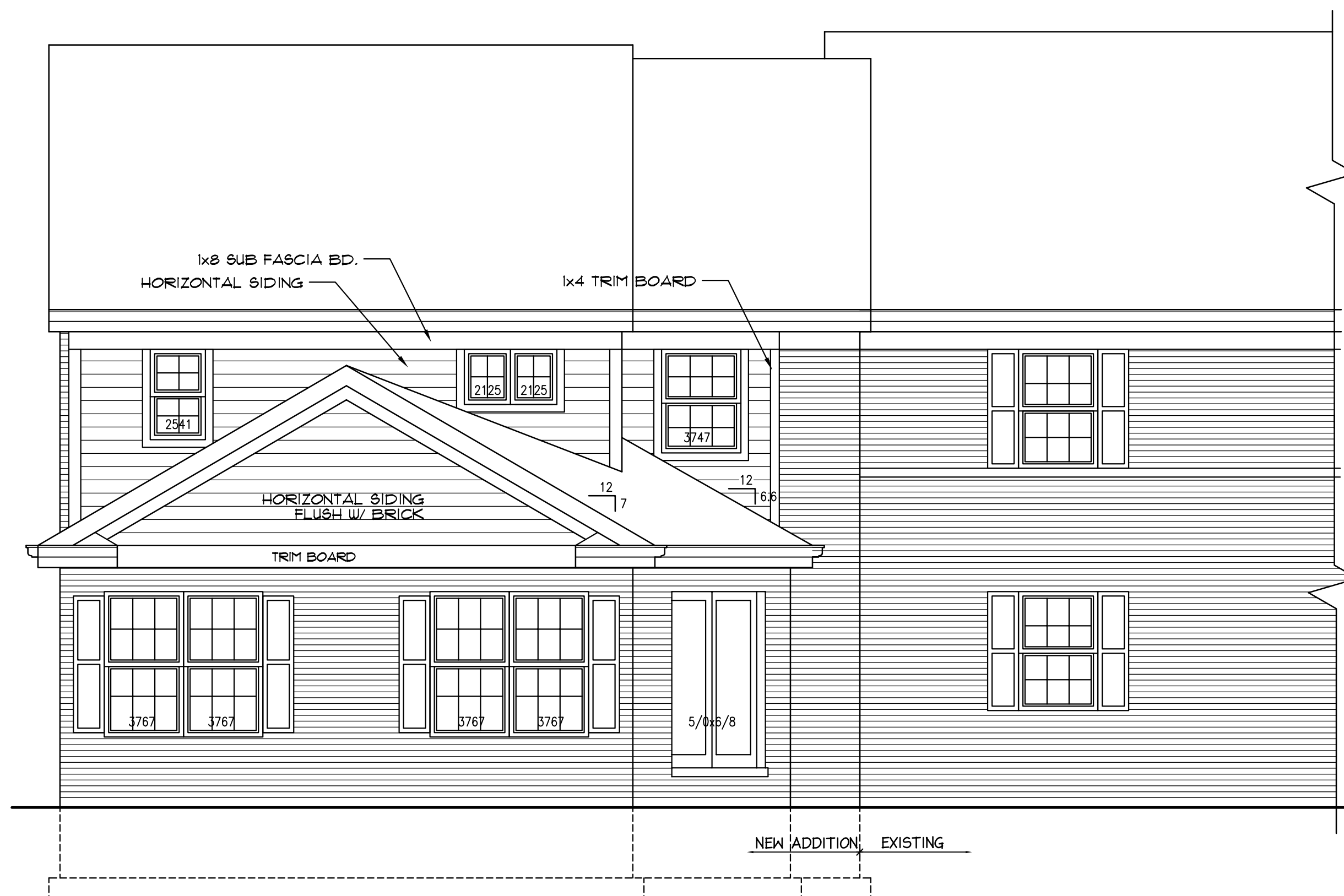
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"

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Rick and Lici Lytle
630 S. Beverly Ln.
Arlington Heights, Il. 60005

Dear Rick and Lici,

Thank you for speaking with us about your plans to add onto your existing home. We have reviewed the drawings. We understand the project will include the continued location of the current brick wall on the north side of the property (garage wall). Additionally, we understand the same existing garage wall will extend up as a wall for a second story addition, and will extend toward the west as a wall for additional living space behind the current garage.

The material will include a brick material identical to the current brick structure, and an identical match to the existing siding on the second story. All materials are fire resistant. We have no concerns with this plan and support your decision to go forward with this project.

Regards,

David Duffell David Duffell

Dorothy Duffell Dorothy Duffell


Arlington Heights, Il.



Item: ZBA#15-010 - Promenade of Arlington Heights - 305-349 E. Rand Rd.

Department: Planning & Community Development

REQUEST

A variation from Chapter 28, Section 11.4, Schedule of Parking Requirement, to allow a reduction to the minimum required parking from 99 to 79 parking spaces.

ATTACHMENTS:

Description	Type
Staff Report	Report
Department Comments	Correspondence
Supporting Documents & Drawings	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 8, 2015
Date Prepared: June 3, 2015
Project Title: Arlington Heights Promenade
Address: 305-345 E. Rand Rd.

Background Information

Petition Number: ZBA #15-010
Petitioner: Barry J. Millman / Horizon Realty Services Inc.
Address: 1130 Lake Cook Rd. Suite 280
Buffalo Grove, IL 60089
Existing Zoning: B-2, General Business District

Requested Action/Background Information

Chapter 28, Section 12.1-b4, allows the Zoning Board of Appeals to waive the parking requirements when the character or use of the building is such as to make unnecessary the full provision of parking facilities, or where such regulations would impose an unreasonable hardship upon the use of the lot, as merely granting an advantage or convenience.

Parking Summary

		<i>Square Feet</i>	<i>Parking Ratio</i>	<i>Required Parking</i>
<i>Provided Parking</i>				
Family Christian	Retail	5,057 SF	1/300	17
Wing Wah Chinese	Restaurant	1,800 SF	1/45 (436 SF seating area)	10
Capelli Salon	Beauty shop	3,480	1/250	14
Domino's Pizza (carry out)	Retail	1,300	1/300	4
Vacant	Retail	1,350	1/300	4
Wildbird	Retail	1,800	1/300	6
Comfort Shoes	Retail	2,250	1/300	7
Tropical Smoothies	Restaurant	2,250	1/45 (688 SF seating area)	15
UPS Store	Retail	1,800	1/300	6
Proposed Dentist	Medical/Dental	3,285	1/200	16
TOTAL			78 provided	99 required spaces

The parking ratios set forth in Chapter 28, Section 11.4, the Zoning Ordinance requires one parking stall for every 200 square feet for medical/dental related uses, 300 square feet for retail related uses, 250 square feet for beauty related uses and one space for every 45 square feet of seating area for a sit down restaurant. Based on the square footage for the businesses, the total number of parking stalls required for the site is 99 spaces. At this time, the site has a total of 79 parking spaces, however the petitioner has indicated that they would like to eliminate one parking space for a new ground; thereby resulting in a deficit of 21 parking stalls. Therefore, the petitioner requests the following variance:

- **A variation from Chapter 28, Section 11.4, Schedule of Parking Requirement, to allow a reduction to the minimum required parking from 99 to 78 parking spaces.**

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and (2) the plight of the owner is due to unique circumstances; and (3) the variation, if granted, will not alter the essential character of the locality. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the three conditions enumerated.

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	5/21/15	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/21/15	
3. Letter that was Mailed	✓	5/21/15	
4. Photographs of Sign on Property	✓	5/22/15	

Photograph of Existing Structure



PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Arlington Heights Promenade

Project Address: 305-349 E. Rand Rd.

ZBA #: 15-010

ZBA Hearing Date: June 8, 2015

To: Jim Massarelli, Director of Engineering
Charley Craig, Building Services

C: Bill Enright, Deputy Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 20, 2015

A variation from Chapter 28, Section 11.4, Schedule of Parking Requirement, to allow a reduction to the minimum required parking from 99 to 79 parking spaces.

Attached are the Petitioner's:

- ☐ Application & Petition
- ☐ Plat of Survey
- ☐ Site Plan
- ☐ Other: _____

Comments: PER DISCUSSIONS WITH PETITIONER, ONE EXISTING PARKING SPACE MAY BE ELIMINATED TO ACCOMMODATE A FUTURE NEW

Please review, comment, and return to me no later than Friday, May 29, 2015.

GROUND SIGN.

-S. HAUTZINGER, DESIGN PLANNER

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Arlington Heights Promenade

Project Address: 305-349 E. Rand Rd.

ZBA #: 15-010

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To: Jim Massarelli, Director of Engineering
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From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 20, 2015

A variation from Chapter 28, Section 11.4, Schedule of Parking Requirement, to allow a reduction to the minimum required parking from 99 to 79 parking spaces.

Attached are the Petitioner's:

- ☐ Application & Petition
- ☐ Plat of Survey
- ☐ Site Plan
- ☐ Other: _____

Comments: PETITION DOES NOT INDICATE IF THE REDUCTION OF
PARKING AFFECTS THE NUMBER OF ACCESSIBLE PARKING SPACES.

Please review, comment, and return to me no later than Friday, May 29, 2015.

By: DEB PIERCE
PLAN REVIEWER

RECEIVED

MAY 26 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

ZBA# 15-010

305-349 E Rand Rd - ZBA

Rev. Eng: Nanci Julius, P.E.

cc: James J. Massarelli, P.E. Director of Engineering



Submitted: May 21, 2015

Completed – May 29, 2015

The proposed ZBA application indicates that the petitioner is seeking:

A variance to allow a reduction to the minimum required parking from 99 to 79 parking spaces.

The Engineering Department has no comment pertaining to the requested variance, however; THE PETITION DOES NOT MENTION THE PARKING USE FOR WING WAH, THE RESTAURANT LOCATED IN THIS COMPLEX. IN ADDITION, NO DIMENSIONS WERE PROVIDED FOR THE PROPOSED PARKING BEHIND THE COMPLEX. IT IS UNCLEAR FROM THE INFORMATION PROVIDED IF PARKING IS FEASIBLE ALONG THIS ACCESS ROAD BEHIND THE COMPLEX.

**PETITIONER'S APPLICATION ZONING BOARD OF
APPEALS, VILLAGE OF ARLINGTON HEIGHTS**

Application Date: 5/12/15
ZBA Case #: 15-010

Subject Property Address: 307 Rand Road

Subject Property PIN:

REQUEST: Variation from Chapter 28, Section 11.4 of the Arlington Heights Municipal Code
Brief statement of Variation Request: Property currently has 83 parking spaces. The petitioner wishes to open a Dental practice in 3,285 SF on the Arlington Heights Road exposure of the property. Code requires 1,000 parking spaces to accommodate a Dental Office in this multi-tenant Center. The owner will add 10 spaces in the rear of the property. The code does not discriminate whether parking may be for employees or customers/patients. The new spaces however will be designated for employees. In this way as many spaces as possible will be provided for patients/customers. Other co-tenants are not intensive parking users. The Book Store needs no more than 5 spaces at any one time. Domino's Pizza needs only 1 space as it is a delivery only store. The Wild Birds needs only 3-4 spaces per hour. The Shoe Store requires practically 5 spaces as each customer must be individually attended to for service. Tropical Smoothies is a 10 space user while UPS normally requires only 2 spaces. With 37 spaces required by actual usage there would be actually 56 spaces available for the Dentist Office. This far exceeds their hourly requirement of 15 spaces at peak service times. The variance required is for 7 spaces which would not have an undue burden on the property nor negatively impact other tenants.

PETITIONER/CONTACT INFORMATION

Name: Tiglat Issabay

Signature: T. Issabay

Address: 1443 Lee Street

City, State, Zip: Des Plaines, IL 60016

Phone #:

Fax #:

Email Address: _____

OWNER INFORMATION (IF DIFFERENT FROM PETITIONER)

Name: Arlington Heights Promenade Partnership

Signature: *[Handwritten Signature]* *As Agent for Owner*

Address: 122 Circle Ridge Drive

City, State, Zip: Burr Ridge, IL 60527

Phone #:

Fax #:

Email Address: _____

IT IS ESSENTIAL TO COMPLETE THE FOLLOWING QUESTIONS:

- ⑩ HAVE YOU EVER APPLIED FOR A VARIANCE FOR THIS PROPERTY? YES ☐ NO ☒
- IF YES, WHAT WAS THE VARIANCE FOR?
- DATE YOU APPEARED BEFORE THE ZONING BOARD:
- ⑩ WAS THE VARIANCE: APPROVED ☐ DENIED ☐

VILLAGE OF ARLINGTON HEIGHTS - 33 SOUTH ARLINGTON HEIGHTS ROAD DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT ARLINGTON HEIGHTS, ILLINOIS 60005 PHONE: (847)
368-5200 FAX: (847) 368-5988

PETITION

The following petition form shall be used when submitting a petition for a variation from Chapter 28 of the Arlington Heights Municipal Code. This must be submitted with a fully executed application to the Zoning Board of Appeals. Please refer to Section 12 of Chapter 28 of the Arlington Heights Municipal Code for information regarding the criteria by which the Zoning Board of Appeals will evaluate variation requests. (Attached to this application packet).

PETITION

Now comes the Petitioner Arlington Heights Promenade Partnership being the owner of the property know as: Arlington Promenade and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 11.4, Chapter 28, of the Arlington Heights Municipal Code, in order to: Allow the development of a Dental Office on the remaining vacancy of the Center.

I hereby state that the following hardship would exist if the variation were not granted. The hardship is based on the existing requirements of the parking code that would consider the property 7 spaces under parked. If relief is not granted the tenant would not be able to consummate a Lease and the property would continue to have significant vacancy.

I hereby state that the following unique circumstances exist: The property is 7 spaces under parked per the code, yet counts show that due to the nature of the tenant mix the available parking spaces would be sufficient to meet the needs of the property.

I hereby state that the variation, if granted, will not alter the essential character of the locality because: The granting of this variation will allow ownership to bring the property to a high level of occupancy, eliminating a vacancy of over 2 years.

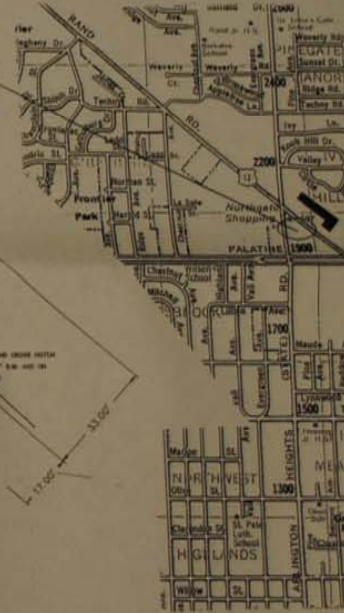
Signed: _____



Petitioner

Date: 12/3/15

APPROXIMATE SURVEY



TO REGENCY SAVINGS BANK, DEVON BANK(UNDER TRUST AGREEMENT
NUMBER 8079), CHICAGO TITLE AND TRUST COMPANY(ORDER NUMBER
7481009), AND ARLINGTON HEIGHTS PROMENADE PARTNERSHIP, AN
ILLINOIS GENERAL PARTNERSHIP:

THIS IS TO CERTIFY THAT THE MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DATA REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 1992, AND INCLUDES ITEMS 1.2, 4.5, 7.5, 8.10, 11.1, & 13 OF TABLE A THEREOF, AND PURSUANT TO THE ACCURACY STANDARDS (AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION) OF AN URBAN SURVEY.

DATE: DECEMBER 8TH, 1993

Melvin A. Hummel
PROFESSIONAL ILLINOIS LAND SURVEYOR NUMBER 1783

ADOPTED BY THE BOARD OF DIRECTION, AMERICAN CONGRESS ON SURVEYING
AND MAPPING ON NOVEMBER 17, 1992.

ADOPTED BY THE AMERICAN LAND TITLE ASSOCIATION ON OCTOBER 17, 1993

RYNEA
PREPARED FOR PROJECT NO.
310 HEMLOCK LA (708) 355-9889

T

The following is the number of cars that were in the parking lot between the hours of 10am and 4pm for the dates May 28, 29 and June 1 and 2 May 28

	Used	Vacant
10am/ 13	-	57
11am/ 24	-	46
12pm/ 36	-	34
1 pm/ 39	-	31
2 pm/ 37	-	33
3. Pm/ 34	-	36
4. Pm/ 31	-	34

May 29

10am/ 9	-	67
11am/ 14	-	56
12pm/ 31	-	39
1 pm/ 28	-	42
2 pm/ 39	-	31
3 pm/ 28	-	42
4 pm/ 27	-	28

June 1

10 am/ 10	-	60
11 am/ 18	-	52
12 pm/ 31	-	39
1 pm/ 28	-	42
2 pm/ 33	-	37
3 pm/ 26	-	44
4 pm/ 18	-	52

June 2

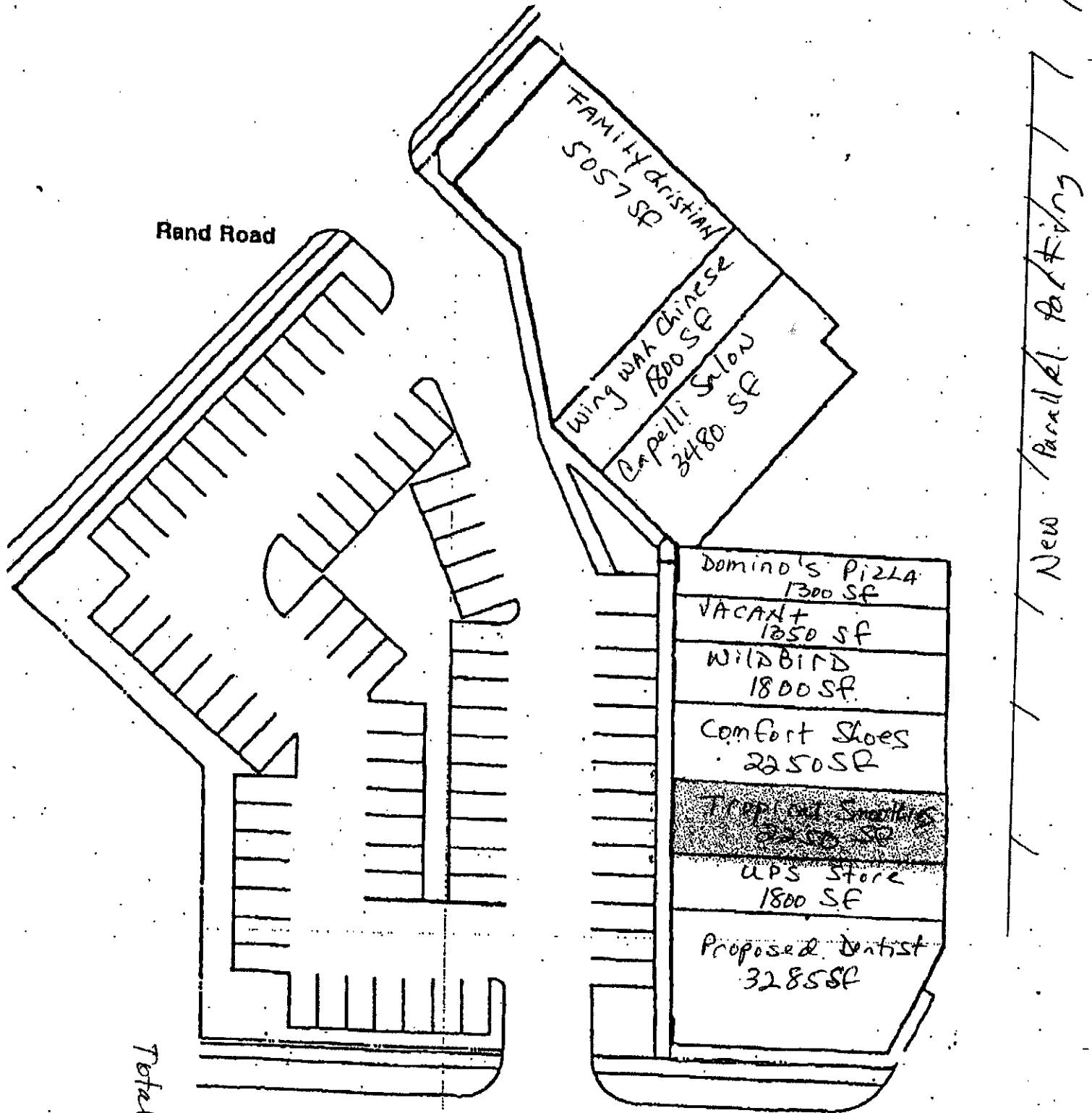
10 am/ 11	-	59
11 am/ 18	-	52
12 pm/ 25	-	45
1 pm/ 36	-	34
2 pm/ 38	-	32
3 pm/ 29	-	41
4 pm/ 19	-	51

Barry J. Millman

Principal

Horizon Realty Services, Inc.

ARLINGTON Promenade



Total SF - 24,372 SF

Arlington Heights Road

EX. A



Item: ZBA#15-011 - Pinney Residence - 310 W. Kirchhoff Rd.

Department: Planning & Community Development

REQUEST

A 12.0 foot variance from Chapter 28, Section 11.2-11.1b and Section 11.2-9 to allow a 34.0 foot wide driveway where the maximum width is 22 feet.

ATTACHMENTS:

Description

Staff Report

Department Comments

Supporting Documents & Drawings

Type

Report

Correspondence

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 8, 2015
Date Prepared: June 3, 2015
Project Title: Pinney Residence
Address: 310 W. Kirchoff Rd.

Background Information

Petition Number: ZBA #15-011
Petitioner: Michael & Judith Pinney
Address: 310 W. Kirchoff Road
Arlington Heights, IL 60005
Existing Zoning: R-3, Single-Family District

Requested Action/Background Information

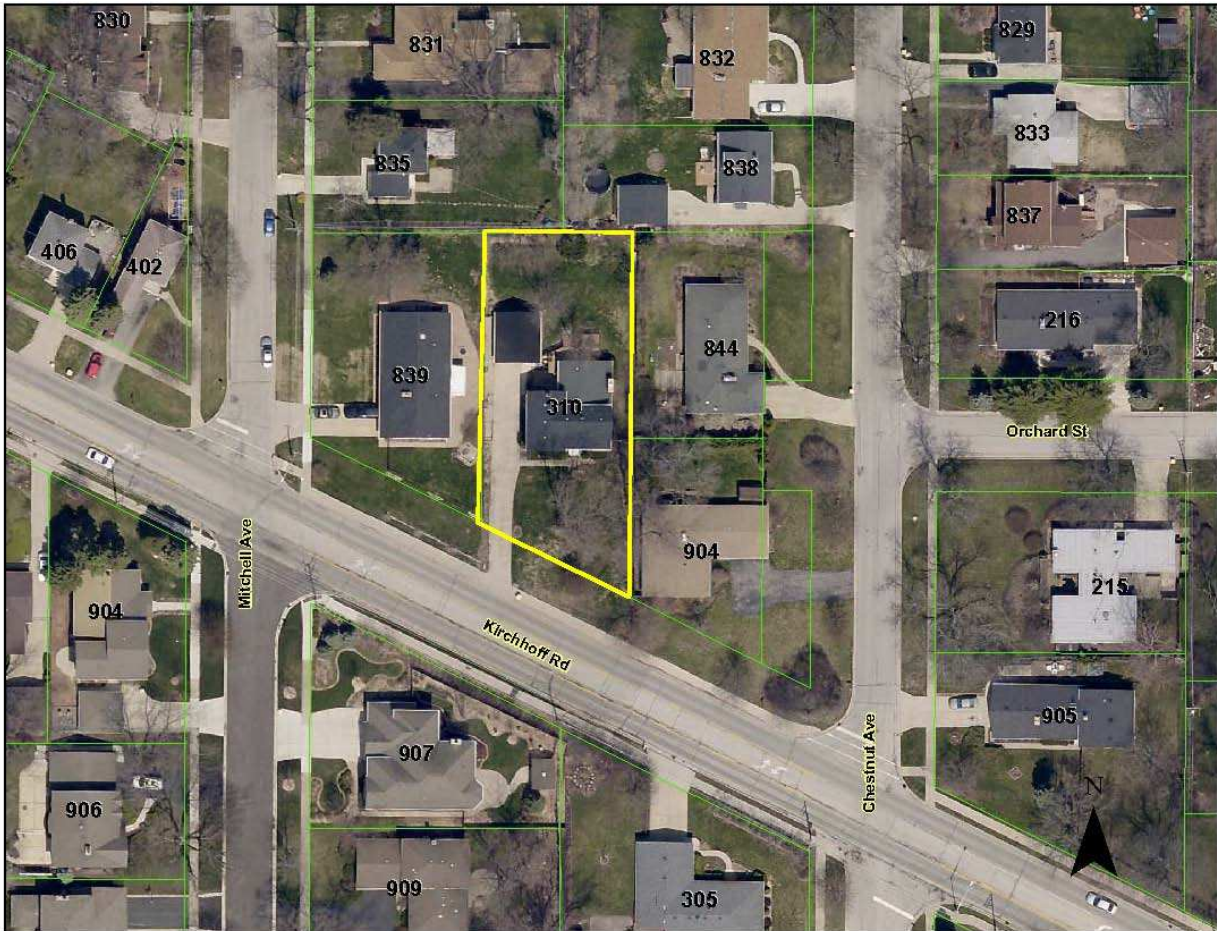
The petitioner proposes to widen the driveway in order to create a turning area. The proposed turning area and driveway will exceed the allowable width of 22 feet. The proposed driveway at its widest portion is 34.0 feet wide. Therefore, the petitioner requests the following variation:

- A 12.0 foot variance from Chapter 28, Section 11.2-11.1b and Section 11.2-9 to allow a 34.0 foot wide driveway as shown on the site plan received May 18, 2015 where the maximum width allowed 22 feet.

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and (2) the plight of the owner is due to unique circumstances; and (3) the variation, if granted, will not alter the essential character of the locality. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the three conditions enumerated.

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	5/22/15	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/22/15	
3. Letter that was Mailed	✓	5/22/15	
4. Photographs of Sign on Property	✓	5/22/15	

Photograph of Existing Structure



PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Pinney Residence

Project Address: 310 W. Kirchhoff Rd.

ZBA #: 15-011

ZBA Hearing Date: June 8, 2015

To: Jim Massarelli, Director of Engineering
Charley Craig, Building Services

C: Bill Enright, Deputy Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 20, 2015

A 12.0 foot variance from Chapter 28, Section 11.2-11.1b and Section 11.2-9 to allow a 34.0 foot wide driveway where the maximum width is 22 feet.

Attached are the Petitioner's:

- ☐ Application & Petition
- ☐ Plat of Survey
- ☐ Site Plan
- ☐ Other: _____

Comments: NO COMMENTS.

- S. HAUTZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than Friday, May 29, 2015.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Pinney Residence

Project Address: 310 W. Kirchhoff Rd.

ZBA #: 15-011

ZBA Hearing Date: June 8, 2015

To: Jim Massarelli, Director of Engineering
Charley Craig, Building Services

C: Bill Enright, Deputy Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 20, 2015

A 12.0 foot variance from Chapter 28, Section 11.2-11.1b and Section 11.2-9 to allow a 34.0 foot wide driveway where the maximum width is 22 feet.

Attached are the Petitioner's:

- ☐ Application & Petition
- ☐ Plat of Survey
- ☐ Site Plan
- ☐ Other: _____

Comments: NO COMMENTS BY: DOB PIERCE, PLAN REVIEWER

Please review, comment, and return to me no later than Friday, May 29, 2015.

RECEIVED
MAY 26 2015
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT
Planning & Community Development 1 OF 1

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on Monday, June 8, 2015 at 7:00 P.M. in the **Buechner Room on the 1st Floor of the Arlington Heights Village Hall, 33 S. Arlington Heights Road, Arlington Heights, Illinois**, at which time the Zoning Board of Appeals will consider a request for:

- **A 12.0 foot variance from Chapter 28, Section 11.2-11.1b and Section 11.2-9 to allow a 34.0 foot wide driveway where the maximum width is 22 feet.**

Lot 2 in Trendle-Lowe Subdivision, being a subdivision in the southeast ¼ of Section 31, Township 42 North, Range 11, East of the third principal meridian, according to the plat thereof registered in the Office of the Registrar of Titles of Cook County, Illinois.

And any other variations which may be required by the Zoning Board of Appeals on the following legally described property:

Lot 2 in Trendle-Lowe Subdivision, being a subdivision in the southeast ¼ of Section 31, Township 42 North, Range 11, East of the third principal meridian, according to the plat thereof registered in the Office of the Registrar of Titles of Cook County, Illinois.

Commonly known as: 310 W. Kirchoff Road.

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact David Robb, Disabilities Services Coordinator at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, (847) 368-5793 (Voice), (847) 368-5980 (Fax) or drobb@vah.com.

Anthony Petrillo, Chairman
Zoning Board of Appeals

(Published in the Daily Herald in Arlington Heights, on Saturday, May 23, 2015)

Derek Mach (847) 368-5232
Planning and Community Development

ZBA# 15-011

310 W Kirchoff Rd - ZBA

Rev. Eng: Nanci Julius, P.E.

cc: James J. Massarelli, P.E. Director of Engineering

Submitted: May 21, 2015

Completed – May 29, 2015

99W

The proposed ZBA application indicates that the petitioner is seeking:

A 12 ft variance to allow a 34 ft wide driveway where the maximum width is 22 ft.

The proposed variance is for an area to turn around.

The Engineering Department has no objection to the proposed variance.

PETITION

NOW COMES the Petitioner Michael and Judith Pinney

being the owner of the property commonly know as: 310 W. Kirchhoff Road, Arlington Heights, IL 60005

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section

11.2-11.1b, Chapter 28, of the Arlington Heights Municipal Code, in order to: request an variance
to allow a vehicle turn-around resulting in a driveway more than 22ft in width.

I hereby state that the following hardship would exist if the variation were not granted:

Continued danger to traffic, pedestrians, and property created by vehicles backing out on to Kirchhoff Road.

I hereby state that the following unique circumstances exist: Kirchhoff Road's speed limit and traffic

patterns create a dangerous situation particularly during the morning and afternoon rush hours.

I hereby state that the variation, if granted, will not alter the essential character of the locality because: the proposed
additional driveway coverage is a small percentage of the overall property and visibility from the street
will be neglibible. Additionally, other residences that face Kirchhoff Road have half-circle
driveways to alleviate similar concerns.

Signed: Judith Pinney

Petitioner

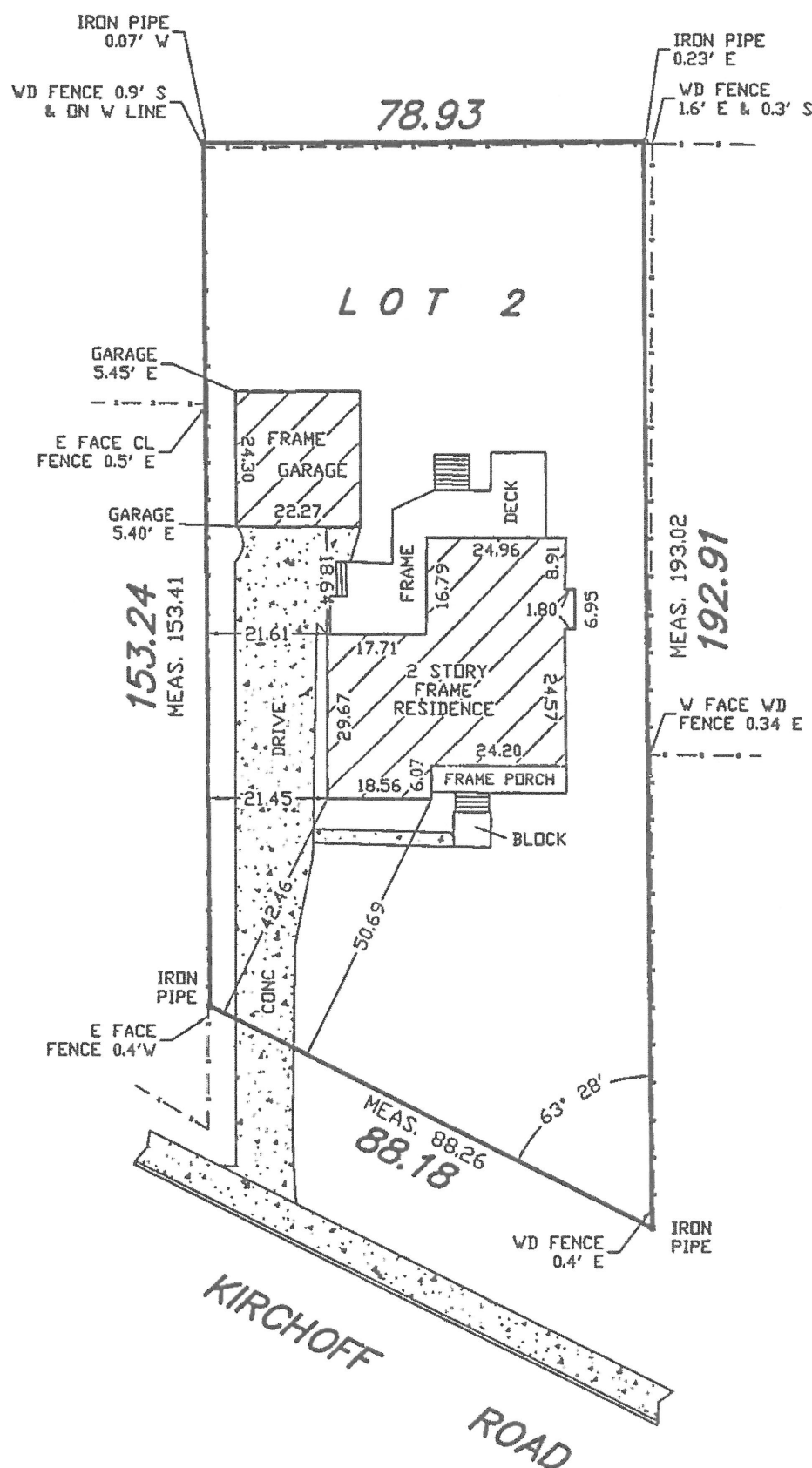
Date: 5/18/2015

RECEIVED

MAY 18 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

EXISTING



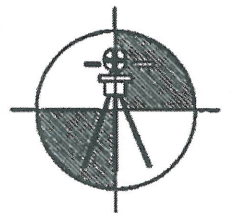
NOT VALID UNLESS EMBOSSED

800 E. NORTHWEST HIGHWAY
SUITE 121
PALATINE, IL 60074
PHONE (847) 253-6566

PLAT OF SURVEY

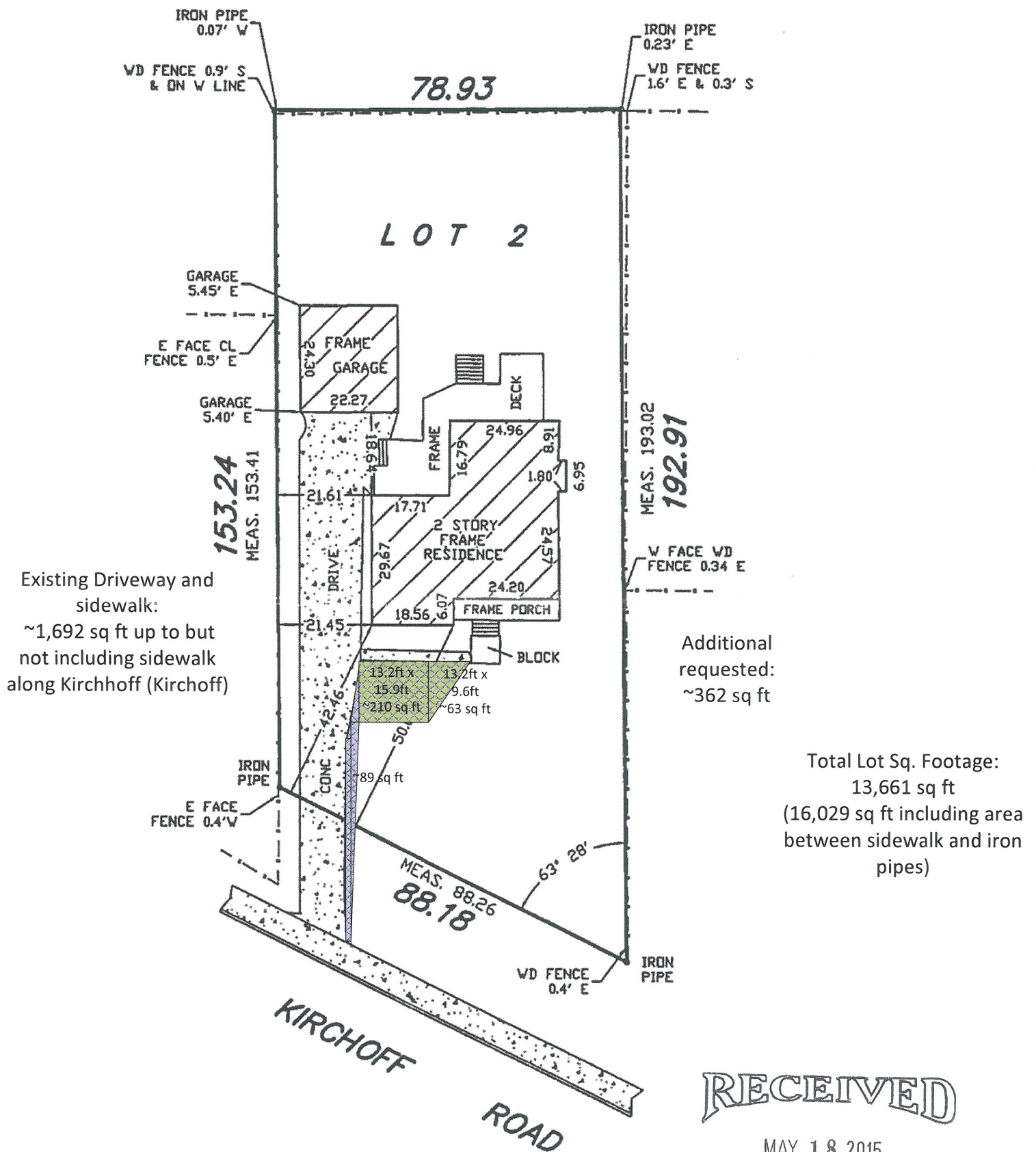
-BY-

JAMES M. ELLMAN LTD.



LOT 2 IN TRENDLE-LOWE SUBDIVISION, BEING A SUBDIVISION IN THE S.E. 1/4 OF SECTION 31, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS.

PROPOSED



RECEIVED

MAY 18 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Ordered by: JULIE L MCMAHON
Order No: 070331
Base Scale: 1 inch = 30 feet
Date: MARCH 23, 2007
Address: 310 W KIRCHOFF RD
ARLINGTON HTS, IL

THIS PROFESSIONAL SERVICE
CONFORMS TO THE CURRENT
ILLINOIS MINIMUM STANDARDS
FOR A BOUNDARY SURVEY.

— o — = WOOD FENCE
— x — = C/L FENCE
— [] — = CONCRETE

STATE OF ILLINOIS) SS
COUNTY OF COOK)

I, JAMES M. ELLMAN, DO HEREBY CERTIFY THAT THE ABOVE
DESCRIBED PROPERTY HAS BEEN SURVEYED UNDER MY SUPERVISION
AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION
OF SAID SURVEY.

BY: James M. Ellman
ILLINOIS PROFESSIONAL LAND SURVEYOR
LICENSE NO. 184-002744
(35-002158)
EXPIRES 11/30/2008

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT
ONCE REPORT ANY DIFFERENCE. FOR BUILDING LINE AND
OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR
ABSTRACT, DEED, CONTRACT AND ZONING ORDINANCE.

NOT VALID UNLESS EMBOSSED